

Addendum

to the Final Environmental Impact Report for the Cisco Systems, Inc.
Site 6 Project (SCH# 99082003), the Final Environmental Impact
Report for the North San Jose Development Policies Update (SCH#2004102067),
and the Final Program Environmental Impact Report for the Envision
San José 2040 General Plan (SCH# 2009072096)

Midpoint at 237 Office and Industrial Project

File Nos. PDC14-004, PD14-007, PD13-039

Prepared by the



April 2014

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- Appendix B Loading Dock Noise Study, *Charles M. Salter Associates, Inc.*, March 27, 2014
- Appendix C Construction and Operational Health Risk Assessment, *Illingworth & Rodkin, Inc.*, February 6, 2014
- Appendix D Phase I Environmental Site Assessment, *Haley & Aldrich*, March 12, 2013
- Appendix E Soil Management Plan, *Kennedy/Jenks Consultants*, June 17, 2013.
- Appendix F Hydrology and Water Quality Review, *Schaaf & Wheeler*, March 25, 2014

SECTION 1.0 INTRODUCTION AND PURPOSE

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is completed and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine whether or not they affect the conclusion in the environmental document.

In April 2000, the City of San José certified the Final Environmental Impact Report (SCH# 99082003) for the Cisco Site 6 Project (File No. PDC99-054) that allows for 2.325 million square feet of new industrial/ office/Research & Development uses on 152.6 acres on both sides of North First Street north of State Route 237. Phase I covers the first 1.6 million sq.ft., the remaining 725,000 square feet comprise Phase II.

In September 2011, the City of San José certified the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (SCH#2009072096) that provides capacity for the development of up to 470,000 new jobs and 120,000 new dwelling units through 2035. The growth capacity would allow a total of 839,450 jobs and 429,350 dwelling units in San José, an increase of 127 percent and 39 percent, respectively, which, if fully developed, would result in a jobs to employed resident ratio (J/ER) of 1.3 to 1.

The purpose of this Addendum is to evaluate the environmental impacts of a Planned Development Permit (File No. PD13-039) that proposes construction of approximately 415,000 sq.ft. of office use, and 563,760 sq.ft. of industrial/manufacturing use (hereafter, the “project” or “proposed development) on 57 acres on the west side of North First Street north of SR237, included as part of Phase I and Phase II of the approved Cisco Site 6 project.

The CEQA Guidelines §15162 state that when an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines §15164 state that the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in §15162 (see above) calling for preparation of a subsequent EIR have occurred.

Given the proposed project description and knowledge of the project site (based on the proposed project, site specific environmental review, and environmental review prepared for the Cisco Site 6 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 Cisco Site 6 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 Cisco Site 6 EIR and the Envision San José 2040 General Plan EIR has been prepared for the proposed project.

This addendum will not be circulated for public review, but will be attached to both the Cisco Site 6 EIR and the Envision San José 2040 General Plan EIR, pursuant to CEQA Guidelines §15164(c).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Midpoint at 237 Office and Industrial Project

2.2 PROJECT LOCATION

The approximately 57-acre project site is located in the Alviso area of the northern part of San José. The site is on the east side of North First Street, north of Nortech Parkway. The site is bounded on the northwest by a public park (Alviso Park) and a school (George Mayne Elementary), on the west across North First Street by undeveloped land approved for 614,000 sq.ft. of office uses, on the north by open space and beyond by residential uses across Grand Boulevard, on the east across Disk Drive by an open space biological habitat preserve and a religious assembly use, and to the south by office uses across Nortech Parkway.

Regional and vicinity maps of the project site are shown on Figure 2.0-1 and 2.0-2, respectively, and an aerial photograph shows surrounding uses on Figure 2.0-3.

2.3 PROPERTY OWNER/PROPONENT

Tom Jodry
Trammel Crow Company
555 12th Street, Suite 900
Oakland, CA 94607

2.4 LEAD AGENCY CONTACT

City of San José
Department of Planning, Building, and Code Enforcement
Rebecca Bustos, Project Manager
200 East Santa Clara Street
San José, CA 95113-1905
(408) 535-7847

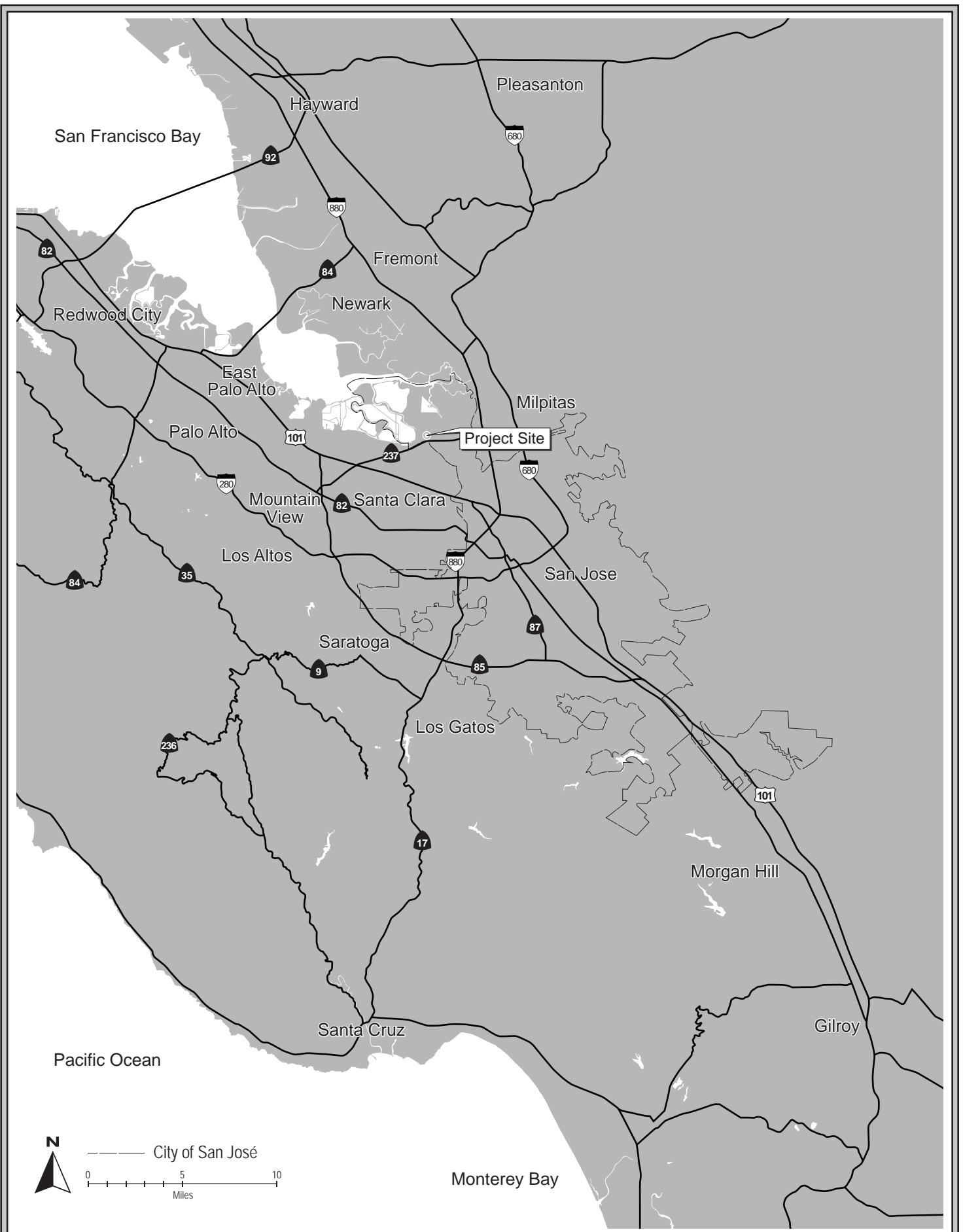
2.5 ASSESSOR'S PARCEL NUMBERS

015-44-011, -014, -016, -017

2.6 GENERAL PLAN LAND USE DESIGNATION AND ZONING DESIGNATION

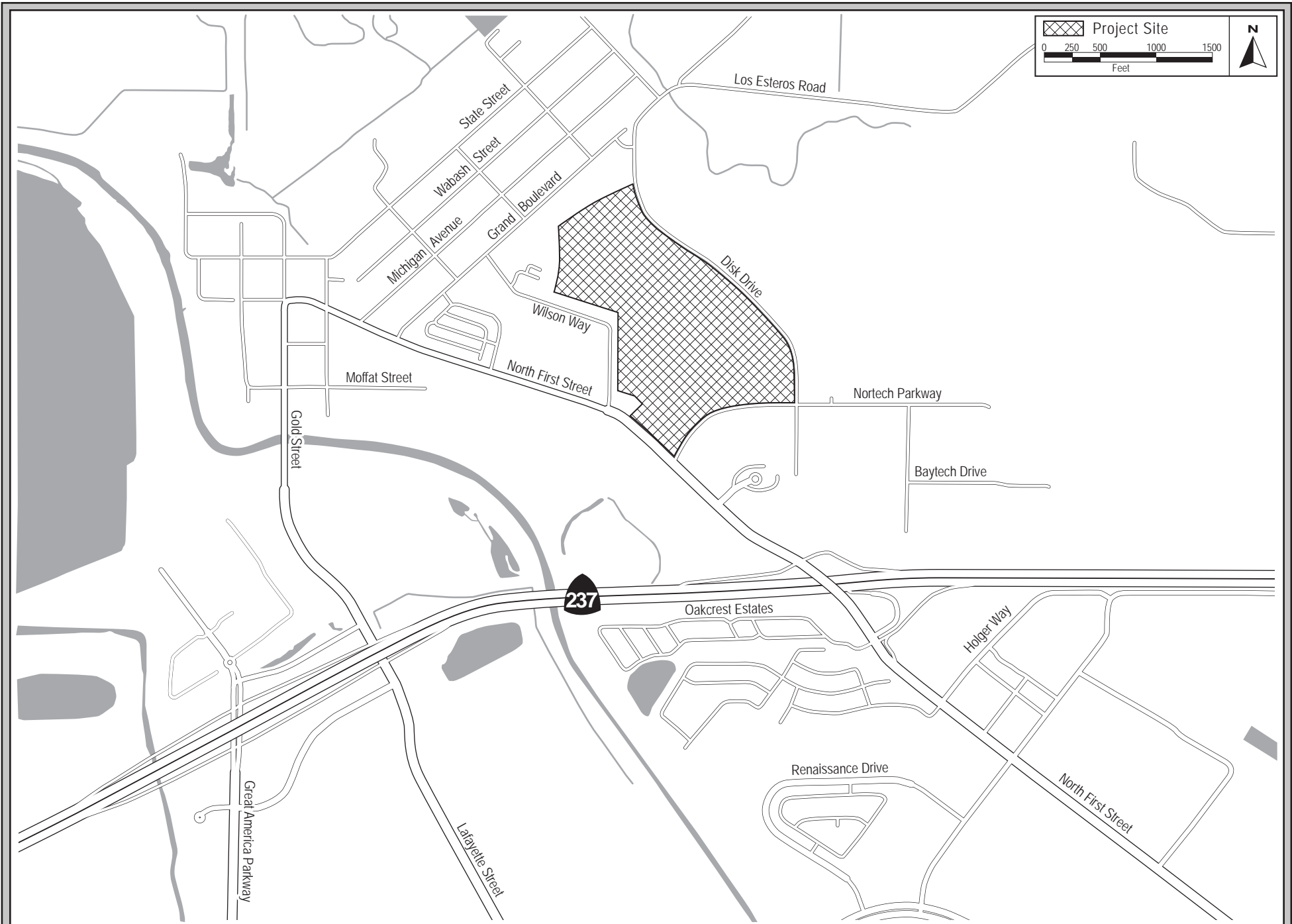
General Plan Land Use Designation: *Combined Industrial Commercial*

Zoning Designation: *A(PD) Planned Development*



REGIONAL MAP

FIGURE 2.0-1



VICINITY MAP

FIGURE 2.0-2



AERIAL MAP AND SURROUNDING LAND USES

FIGURE 2.0-3

SECTION 3.0 PROJECT DESCRIPTION

3.1 OVERVIEW OF THE PROPOSED PROJECT

The proposed project entails the development of office and industrial uses on a 57 acre portion of a 152 acre site zoned for 2.325 million sq.ft. of industrial/office/R&D uses.

3.2 PROJECT DESCRIPTION

The project proposes two two-story office buildings of approximately 83,000 square feet (sq.ft.) each, two three-story office buildings of approximately 124,500 sq.ft. each, and three one-story industrial buildings of approximately 233,520 sq.ft., 167,700 sq.ft., and 162,540 sq.ft., respectively, and surrounding surface parking on a 57-acre site located at the east side of North First Street immediately north of Nortech Parkway. See Site Plan Figures 3.0-2a and 3.0-2b. Conceptual building elevations are shown in Figures 3.0-3(a)-(e). The remainder of the project site would be landscaping and common open space for employees, as shown in the Landscape Plan, Figure 3.0-4.

The project applicant is applying for a Planned Development Rezoning (File No. PDC14-004), and Planned Development Permits (File Nos. PD14-007, PD13-039) from the City of San Jose.

3.2.1 Site Access

Access to the project site is proposed from a driveway off of North First Street, another driveway of Nortech Parkway, and six driveways off of Disk Drive. No driveways are planned off of Tony P. Santos Street/Wilson Way. Pedestrian access is available via existing sidewalks along North First Street, Nortech Parkway, and Disk Drive. There are no designated bicycle lanes on North First Street, however cyclists can utilize the curb lane. The Envision San Jose 2040 General Plan identifies this segment of North First Street as a ‘main street’ which may include dedicated bicycle lanes in the future.

3.2.2 Parking

As part of pending Planned Development Rezoning File No. PDC14-004, the project proposes to modify the parking requirement established by the site’s existing zoning (File No. PDCSH99-054) of 3.3 spaces per 1,000 sq.ft. of industrial use. The project would instead provide a minimum of 2.0 parking spaces per 1,000 sq.ft. of industrial/manufacturing space and 3.3 spaces per 1,000 sq.ft. of office/R&D space. The project provides 1,373 parking stalls in support of the 415,000 sq.ft. of office use, and 1,141 parking stalls in support of the 563,760 sq.ft. of industrial/manufacturing use. The project will prepare and implement a Transportation Demand Management (TDM) program. The project also provides clean air vehicle parking in accordance with the Zoning Code. For non-residential uses such as this, designated parking for any combination of low emitting, fuel efficient, and carpool or van pool vehicles is required at a rate of 8% of the total parking required.

3.2.3 Storm Drainage Improvements

Runoff from the site will be directed to the Oakmead storm drain system.

The City has a Capital Improvement planned to the Oakmead system consisting of an additional 1,970 feet of 48-inch diameter storm drain pipe on Disk Drive north of Nortech Parkway, to replace the existing 33-inch pipe installed when Disk Drive was constructed. The location and length of pipe

is depicted in Appendix E, Figure 6. The timeframe for installation of this pipe is currently unknown. If the capital improvement proceeds in advance of or concurrent with the Midpoint project, the project may be required to contribute fair share funding toward the construction of the pipe. Alternatively, in the event the project precedes the capital improvement, the project would design and construct its on-site storm water collection system to retain runoff on-site in a manner that the capacity of the existing 33-inch storm drain pipe in Disk Drive is not exceeded. Achievement of this performance standard would be confirmed through supplemental hydraulic analysis prior to issuance of a grading permit.

3.2.4 Recycled Water Main Replacement

There is an existing 16" recycled water main that runs through the site from Disk Drive to Nortech Parkway. The project will be required to remove or abandon this line and install a new recycled water main in Disk Drive and Nortech Parkway.

3.3 PROJECT BACKGROUND/EXISTING ENTITLEMENTS

Planned Development Rezoning

In June 2000, the City of San José certified the Final Environmental Impact Report (EIR) for the Cisco Site 6 Project (SCH# 99082003) and approved Planned Development Rezoning File No. PDCSH99-054 that allows for 2.325 million square feet of new industrial/ office/Research & Development uses on 152.6 acres on both sides of North First Street north of State Route 237. The development will be constructed in two phases, with Phase I consisting of 1.6 million sq.ft. and Phase II consisting of 725,000 sq.ft.

As part of pending Planned Development Rezoning File No. PDC14-004, the project proposes to modify the parking requirement established by PDCSH99-054 of 3.3 spaces per 1,000 sq.ft. of industrial use to instead (as applicable to the subject project site 57 acres) provide a minimum of 2.0 parking spaces per 1,000 sq.ft. of industrial/manufacturing space and 3.3 spaces per 1,000 sq.ft. of office/R&D space.

The project, as part of Planned Development Rezoning File No. PDC14-004, also proposes to eliminate the Phase I/II site boundary line depicted on the approved land use plan for PDCSH99-054 (see Figure 3.0-1). Currently, development south of the line is considered Phase I and north of the line is Phase II. Elimination of this phasing line would allow the first 1.6 million sq.ft. of development to qualify for Phase I regardless of location on the site, and provide that any development after the first 1.6 million sq.ft. would be subject to applicable mitigation regardless of location on the site.

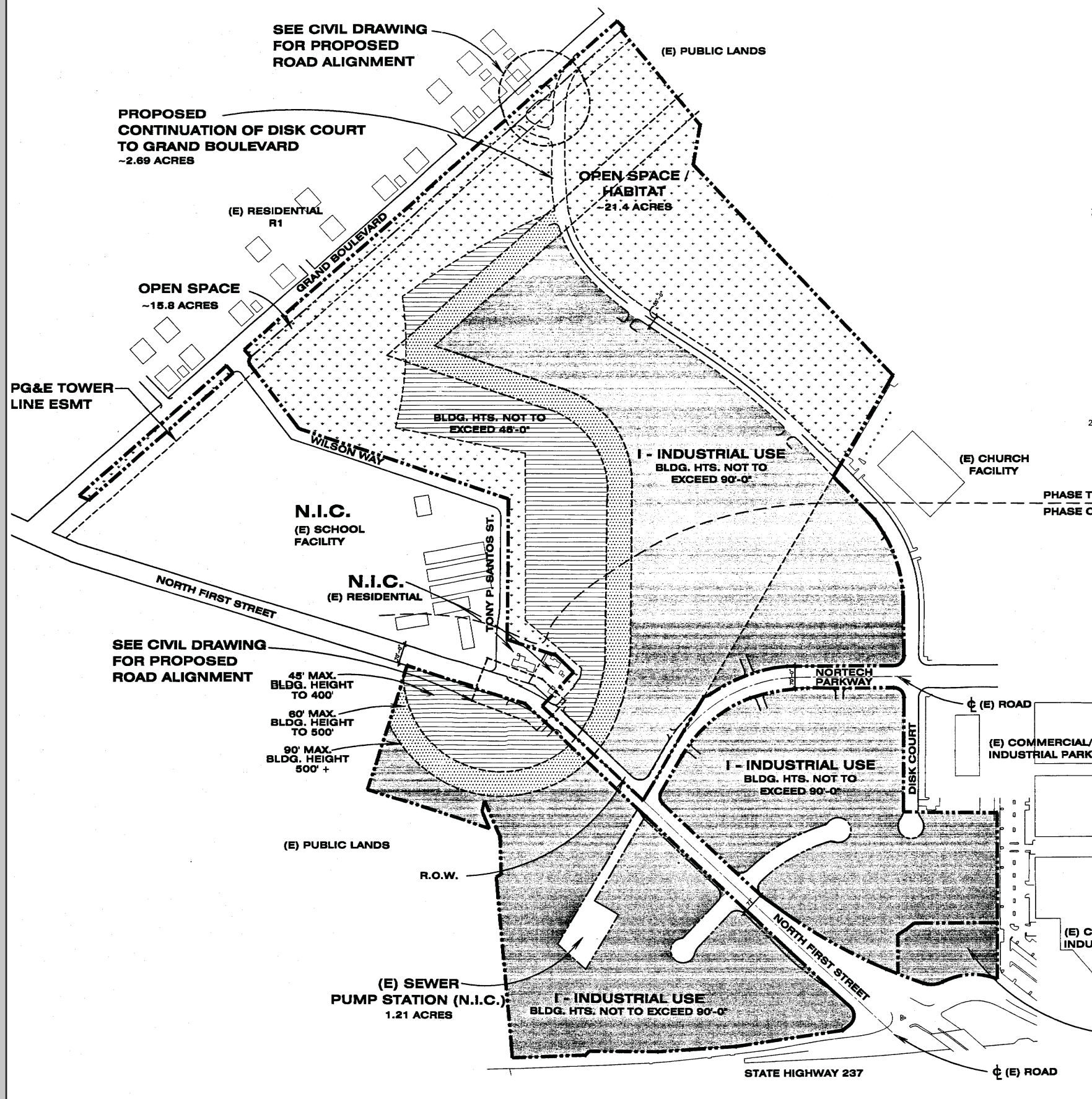
Development Agreement

The City in November 2000 entered into a Development Agreement (DA) with the developer of the 152 acre site. The DA provides assurances that the project may be developed in accordance with the existing ordinances, resolutions, policies, and regulations of the City in place as of the effective date of the agreement. The DA carries a twenty year term and remains in full force and effect.

Planned Development Permits

In June 2000, the City approved a Planned Development Permit (File No. PD00-027) for Phase I, covering 1.6 million sq.ft. on 79.2 net acres on both sides of North First Street. The Phase I

entitlement on the east side of North First Street was for 907,000 sq.ft., however only the 427,000 sq. ft. portion of the development approved south of Nortech Parkway was implemented, while the remaining portion of the entitlement on the east side of North First Street north of Nortech Parkway (i.e. the subject 58 acres) was not. The 28.5 acre portion of the site west of North First Street (that was subsequently the subject of PD Permit application File No. PD13-012) was approved in late 2013 for 614,000 sq.ft of industrial/office/R&D uses, but has yet to be implemented.



PROJECT GUIDELINES:

Issues
The established pattern of industrial use development in the Nortech Parkway area appears and functions as industrial development found in other locations in San Jose. Generally, it is appropriate to continue this typical form in most of the land proposed for Industrial Park. In addition, a positive relationship needs to be established at the edge between industrial and non-industrial uses. The guidelines seek to meet these concerns.

Land Use

- A. Industrial Use Areas**
1. Permitted Uses: All uses as permitted by right in the I Industrial Zoning District; Agriculture. (Office R/D- Up to 2,325,000 square feet).
 2. Special Uses: All uses as permitted by Special Use Permit in the I Industrial Zoning District will be permitted by Special Use Permit.
 3. Conditional Uses: All uses as permitted by Conditional Use Permit in the I Industrial Zoning District will be permitted by Conditional Use Permit.
 4. Open Space / Habitat Areas: All areas indicated as Open Space / Habitat Areas will remain undeveloped as part of this development. Attempts will be made to protect areas from being disturbed during development of adjacent properties.

Development Standards

1. Height:
 - A. The maximum height for buildings within 400' of Grand Blvd., Wilson way or Tony P. Santos street will be 45' measured to the top of building parapet. Rooftop equipment will be screened from public view. Such equipment and screened walls will be exempt from the building height limit, but will not exceed 10' in height above building.
 - B. The maximum height for building within 500' of Grand Blvd., Wilson way or Tony P. Santos street will be 60' measured to the top of building parapet. Rooftop equipment will be screened from public view. Such equipment and screened walls will be exempt from the building height limit, but will not exceed 14' in height above building.
 - C. The maximum height for all other buildings will be 90' measured to the top of building parapet. Rooftop equipment will be screened from public view. Such equipment and screen walls will be exempt from the building height limit, but will not exceed 18' in height above the building parapet level.

- The buildings are well-designed and contribute positively to the Alviso area. Building heights will be used to facilitate the transfer of development intensity away from the baylands and environmental sensitive areas in the vicinity of the Alviso village to a location closer to Hwy. 237 in order to achieve habitat preservation or other environmental protection objectives.
2. Building Separation / Property Line Setbacks:
 - All buildings will have a minimum separation of 40'.
 - Industrial projects adjacent to existing or proposed public streets will include a minimum 30' landscape strip along those streets to screen and buffer the industrial activities from Alviso Park, The George Wayne School, and the adjacent residential neighborhood. Significant trees and landscaping are appropriate in this setback area.

Building Design Guidelines

Industrial buildings shall have simple volumes, straight lines, and traditional shapes with well done roof forms. This simplicity should result in buildings that are easily read from a distance along Route 237 and/or from within the Alviso village. Buildings located near gateway entrances will front on the gateway streets. All buildings will reflect features or colors reminiscent of the historic waterfront character of Alviso (i.e., color schemes appropriate to oceanside development).

1. **Exterior Building Materials:**
 - A. Formed concrete with scoring or an embossed wood grain appearance.
 - B. Stucco, or stone cladding systems.
 - C. Metal panel sheathing systems and metal roof materials.
 - D. Glass as an accent material and for windows.
2. **Architectural Features:**
 - A. Architectural attention should be focused on the overall building volume and shape rather than overly decorating and detailing the structure.
3. **Parking:**
 - A. The majority of the surface parking area for any industrial development should be located at the side and/or rear of the building. Parking areas adjoining the street should be screened by the placement of trees, and appropriate plantings.
 - B. Offstreet parking along North First Street will be kept to a minimum and an attempt will be made to reduce its impact along North First Street.
 - C. Parking will be in compliance with all applicable City of San Jose, "Industrial Development" Guidelines.
 - D. 3.3 parking spaces will be provided for each 1000 square feet of gross building area in use for industrial use.
 - E. Parking spaces will meet the size requirements noted in Section 21.12.180 of the City of San Jose Zoning Ordinance, except that a minimum 24' width driveway aisle will be permitted for 90 degree parking within any structured parking garage.
 - F. Bicycle parking will be provided at 2.3/1000 sq. ft. bldg. floor area (100 spaces min.)
4. **Orientation of Truck Docks and Service Areas:**
 - A. Loading and service areas should generally be located behind buildings, visually screened from public roadways with the use of walls and landscaping.
 - B. Primary consideration should be given to adjoining land uses in locating storage and loading areas. Storage and loading areas should be well-screened and buffered from residential, school, and open space uses.
 - C. No back up walls, storage yards, loading areas, or other service areas should front on North First Street.
5. **Outdoor Storage Yards:**
 - A. Outdoor storage of materials should be minimized to the extent practical. Materials stored outdoors should be screened from adjoining properties and public right-of-ways with six-foot masonry walls and adjacent landscaping. Materials should not be stored above the height of the walls.
6. **Flood Issues:**
 - A. Flood mitigation could be achieved by elevating structures above the anticipated floor level and/or flood proofing buildings to minimize damage. Much of the land proposed for Industrial Park use has higher elevations than in the village area. Therefore, it is possible to "pad up" the site to meet the flood protection requirements. Attempts will be made to reduce the impact of increased slopes due to "pad up" building elevations. Slopes will be reduced by even distribution of slopes throughout the site when possible.
 - B. Vegetation swales will be incorporated into site design when possible as required.

Landscaping Objectives

Landscaping should be designed to: (1) incorporate plant materials suited to the area's environmental conditions; (2) reflect Alviso's open, bayside character; and (3) enhance existing and new development.

- A. All new sidewalks will be detached w/park strip (see street sections). (N) Sidewalk installation will occur only on west side of the disk court extension at the end of phase II construction.

Performance Standards

Industrial Activity: All on site development activities will conform to the performance standards of the I Industrial Zoning District.

North San Jose Deficiency Plan:

This project is located in the North San Jose Deficiency Plan Area, and is subject to the Deficiency Plan's Design Actions in addition to participating in the payment of the North San Jose Deficiency Plan fee prior to Public Works Clearance.

Public / Off Site Improvements:

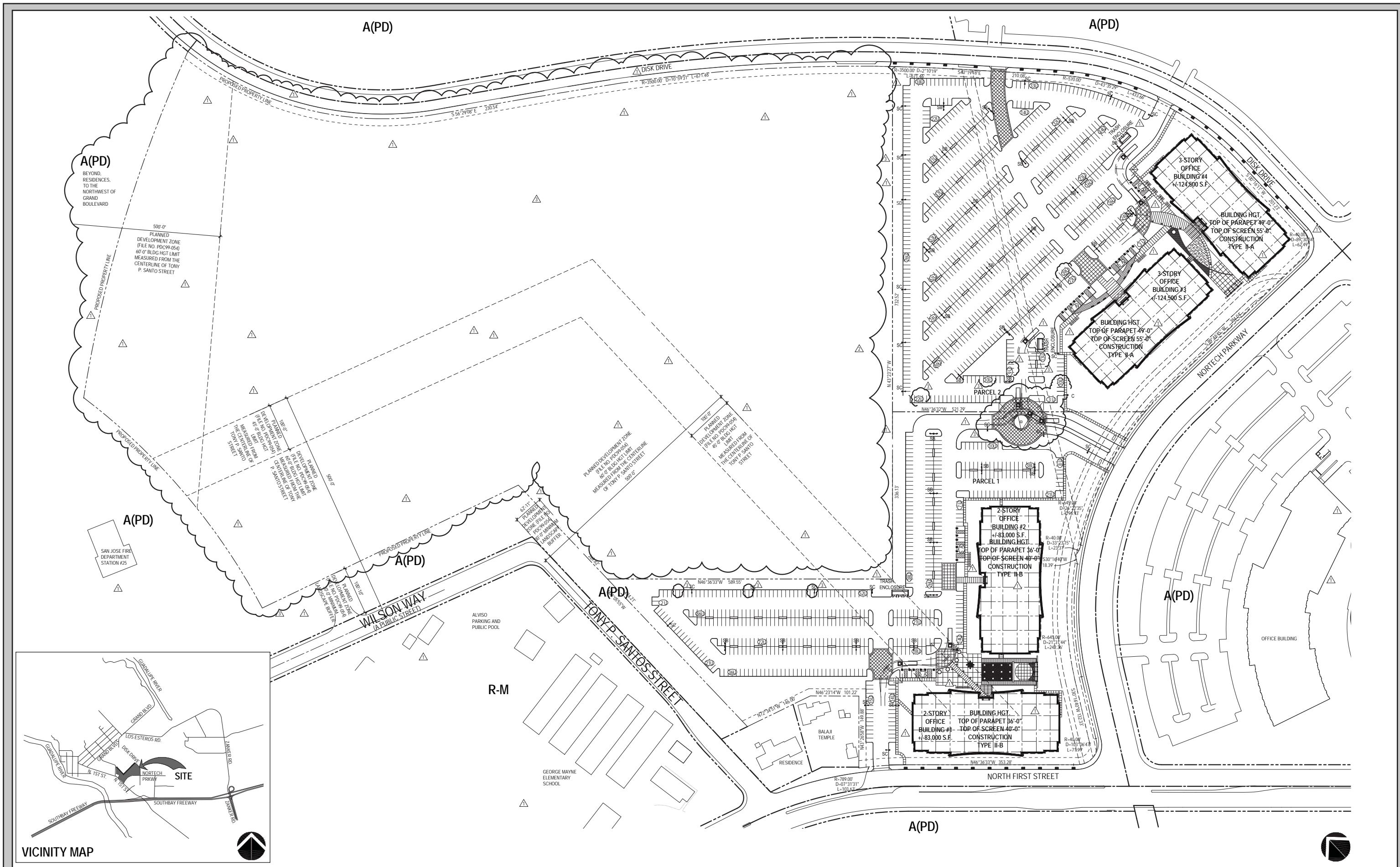
All public / offsite improvements will be implemented to the satisfaction of the Director of Public Works. Prior to the issuance of building permit(s), the applicant will be required to obtain a Public Works Clearance. Said clearance will require the execution of a Construction Agreement that guarantees the completion of the public improvements. For additional information see Mitigation Requirement Sheets.

Water Pollution Control Plan Note

Pursuant to Part 2.75 of Chapter 15.12 of San Jose Municipal Code, no vested right to a building permit will accrue as the result of the granting of any land development approvals and applications when and if the City Manager make a determination that the cumulative sewage treatment demand on the San Jose-Santa Clara Water Pollution Control Plan represented by approval land uses in the areas served by said plant will cause the total sewage treatment demand to meet or exceed the capacity of the San Jose-Santa Clara Water Pollution Control to treat such sewage discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.

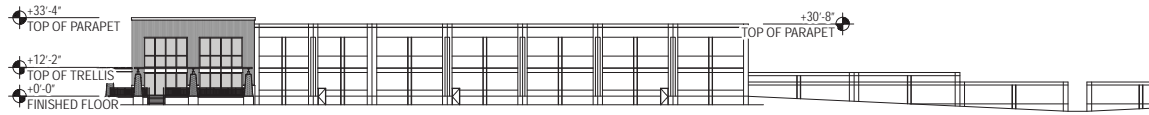
Phasing Traffic Mitigation Note

At the PD Permit stage, the project will incorporate traffic mitigation measures, as identified in the General Development Plan, as part of Phase I of the project (construction of up to 1,600,000 sq.ft. of industrial/office/research & development use.) All PD Permits for Phase 2 will incorporate traffic mitigation measures as identified in the General Development Plan or, to the satisfaction of the Director of Planning, alternative mitigation measures identified after preparation of a traffic study in accordance with all relevant City of San Jose traffic study methodologies and policies in effect at the time of application for the PD Permit.

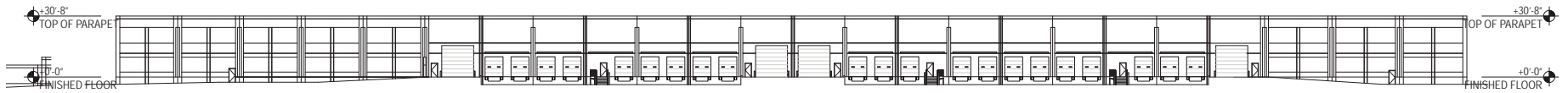


SITE PLAN: OFFICE BUILDINGS 1-4

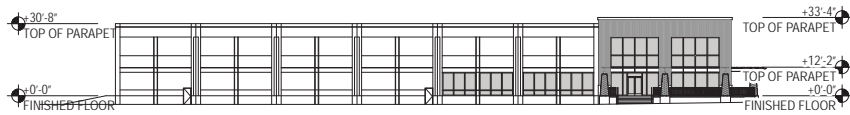
FIGURE 3.0-2b



CONCEPTUAL HI-TECH MANUFACTURING BUILDING 1 - SOUTHWEST ELEVATION



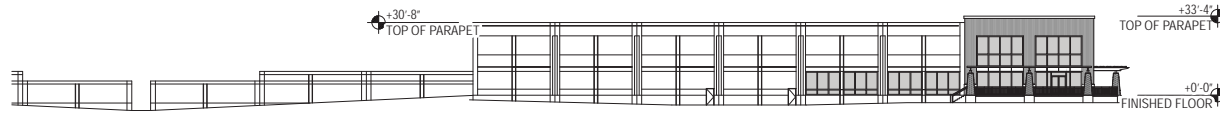
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 1 SOUTHEAST ELEVATION



CONCEPTUAL HI-TECH MANUFACTURING BUILDING 1 NORTHEAST ELEVATION



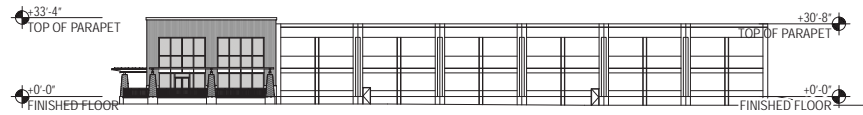
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 1 NORTHWEST ELEVATION



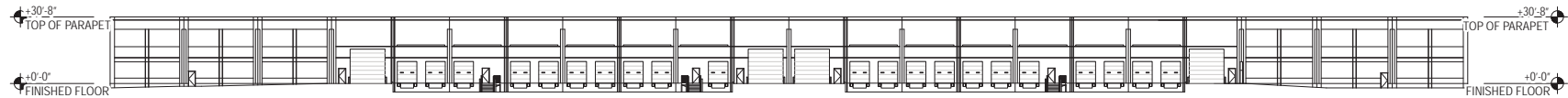
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 2 - SOUTHWEST ELEVATION



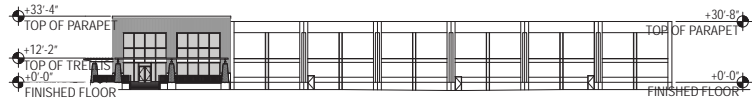
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 2 SOUTHEAST ELEVATION



CONCEPTUAL HI-TECH MANUFACTURING BUILDING 2 NORTHEAST ELEVATION



CONCEPTUAL HI-TECH MANUFACTURING BUILDING 2 NORTHWEST ELEVATION



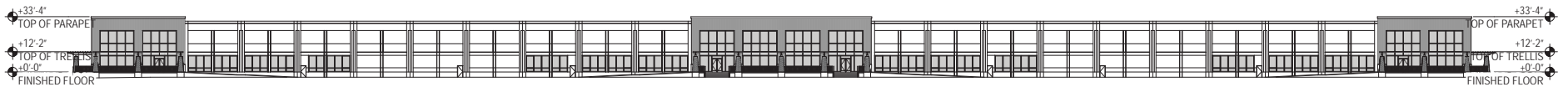
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 3 - SOUTHWEST ELEVATION



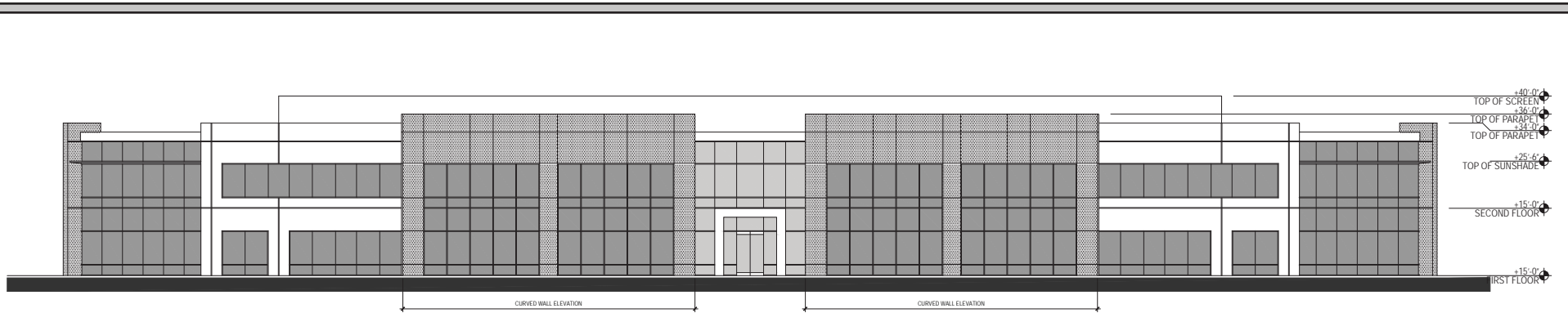
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 3 SOUTHEAST ELEVATION



CONCEPTUAL HI-TECH MANUFACTURING BUILDING 3 NORTHEAST ELEVATION



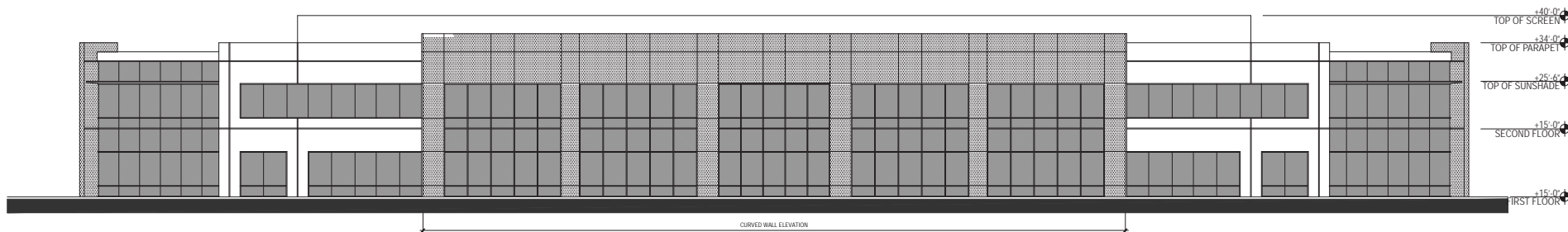
CONCEPTUAL HI-TECH MANUFACTURING BUILDING 3 NORTHWEST ELEVATION



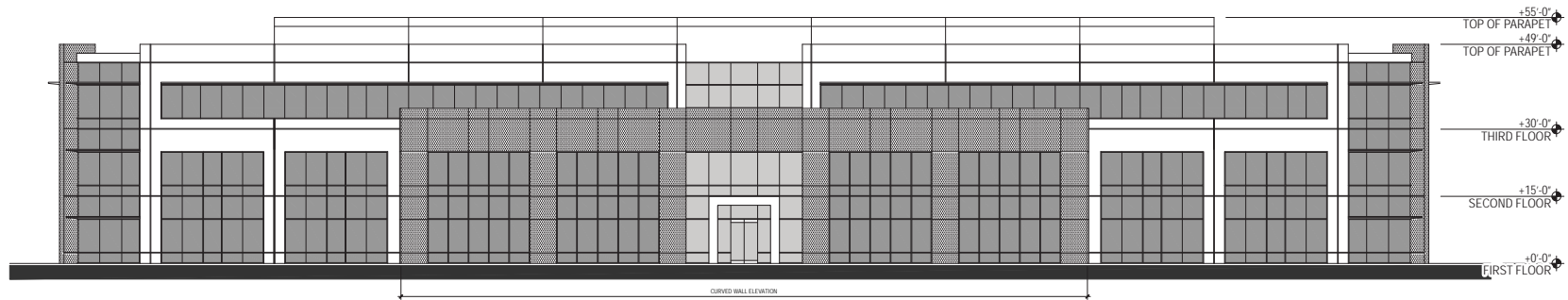
RESEARCH & DEVELOPMENT OFFICE BUILDING 1 & 2 FRONT ELEVATION - BUILDING 1: NORTHEAST; BUILDING 2: NORTHWEST



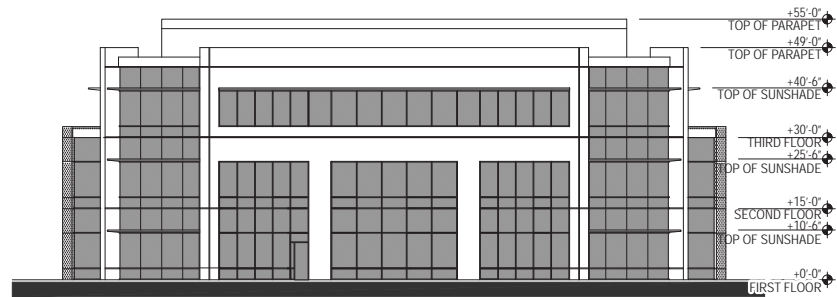
RESEARCH & DEVELOPMENT OFFICE BUILDING 1 & 2 - BUILDING 1: SOUTHEAST - NORTHWEST; BUILDING 2: SOUTHWEST - NORTHEAST



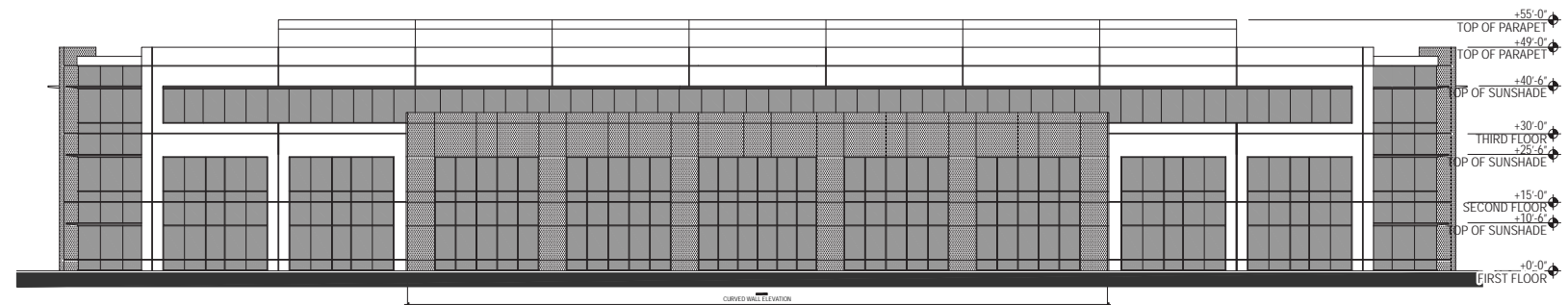
RESEARCH & DEVELOPMENT OFFICE BUILDING 1 & 2 REAR ELEVATION - BUILDING 1: SOUTHWEST; BUILDING 2: SOUTHEAST



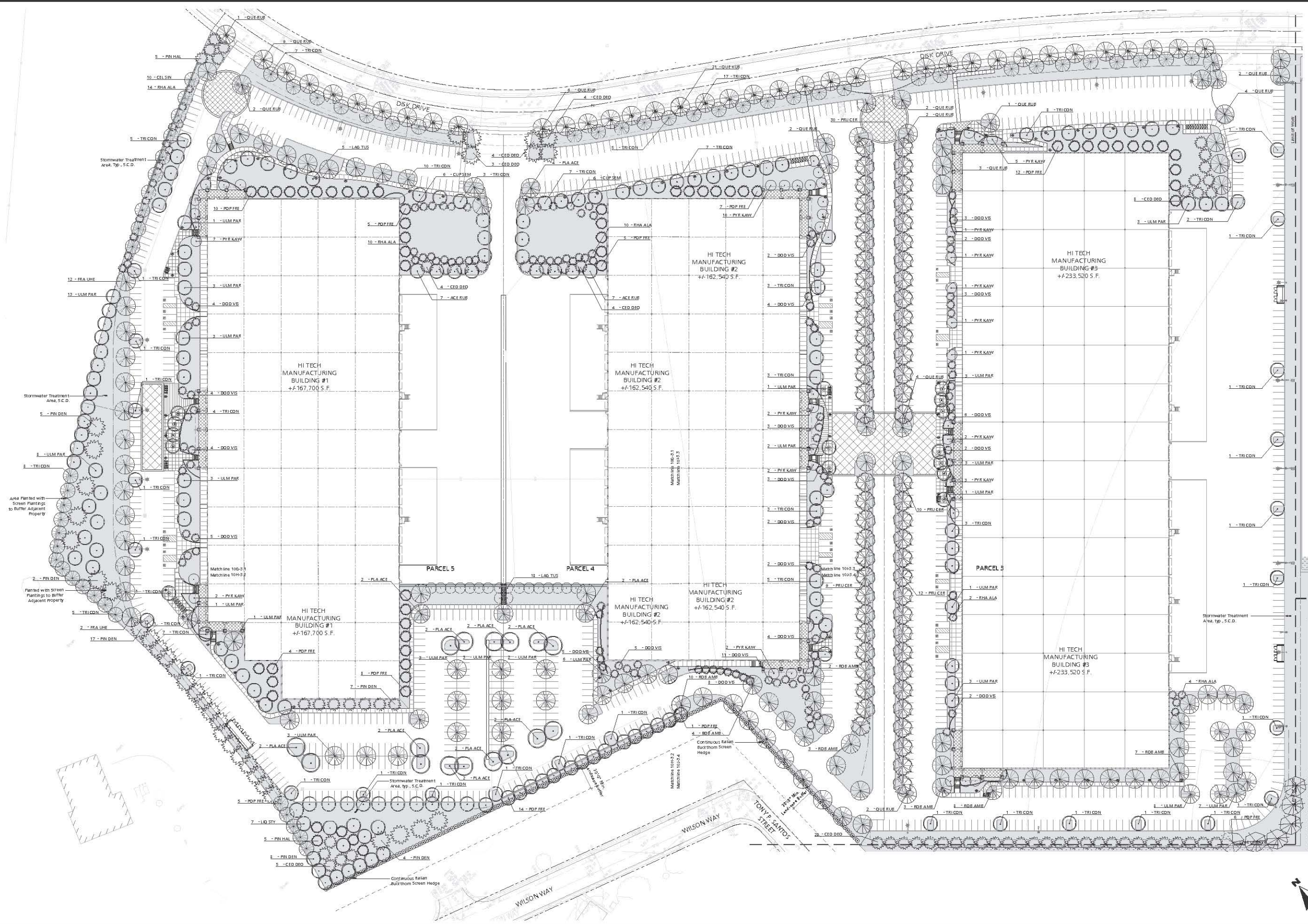
RESEARCH & DEVELOPMENT OFFICE BUILDING 3 & 4 FRONT ELEVATION - BUILDING 3: NORTH; BUILDING 4: WEST



RESEARCH & DEVELOPMENT OFFICE BUILDING 3 & 4 - BUILDING 3: EAST & WEST; BUILDING 4: NORTH & SOUTH

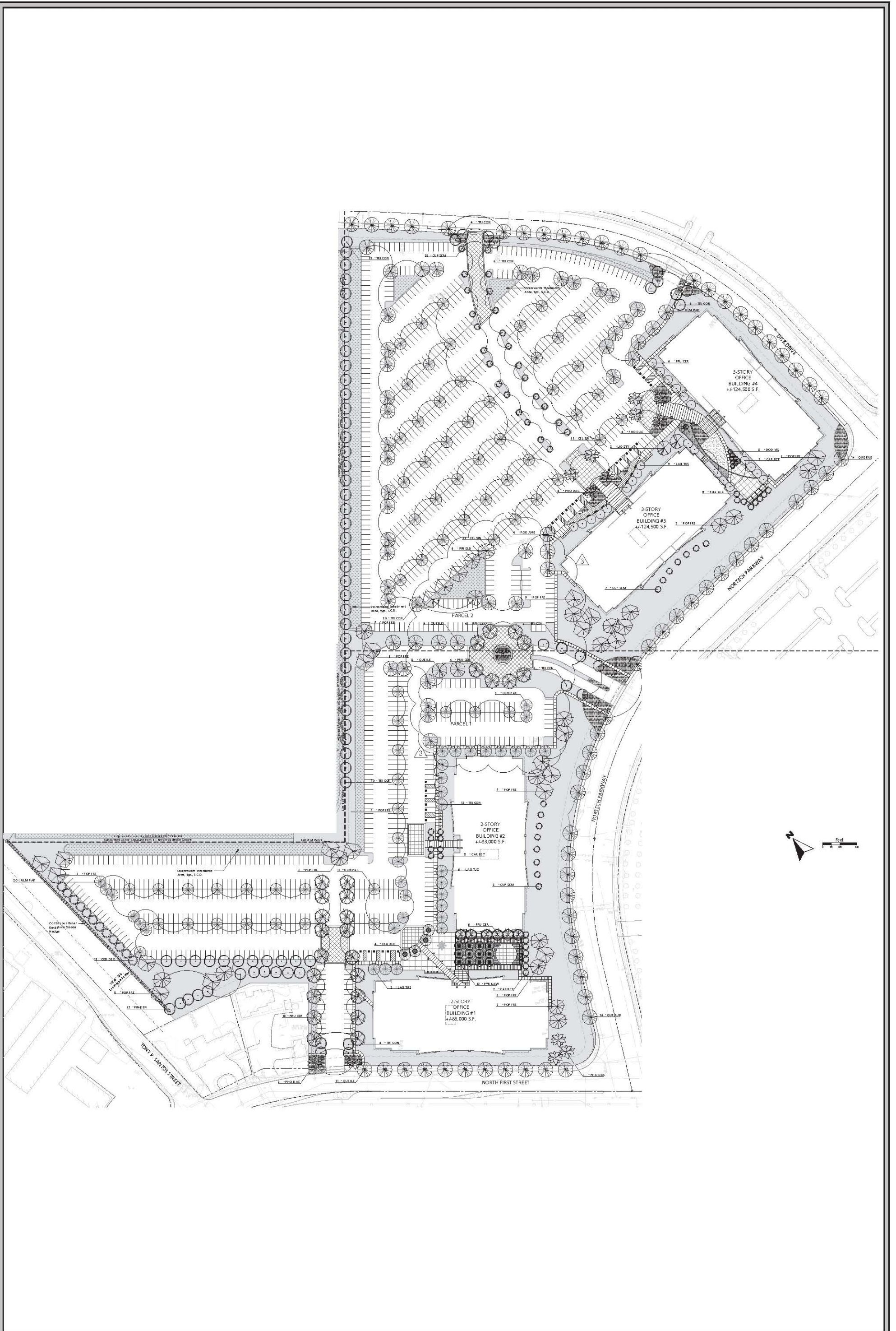


RESEARCH & DEVELOPMENT OFFICE BUILDING 3 & 4 REAR ELEVATION - BUILDING 3: SOUTH; BUILDING 4: EAST



LANDSCAPE PLAN: MANUFACTURING BUILDING 1-3

FIGURE 3.0-4a



LANDSCAPE PLAN: OFFICE BUILDINGS 1-4

FIGURE 3.0-4b

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND DISCUSSION OF IMPACTS

In accordance with CEQA Section 21093(b) and CEQA Guidelines Section 15152(a), this Addendum tiers off the previously certified City of San José 2000 Cisco Site 6 EIR and the Envision San José 2040 General Plan EIR (certified September 2011). The amount of office/R&D development proposed was included and analyzed in the certified 2000 Cisco Site 6 EIR and the 2011 Envision San José 2040 General Plan FPEIR. Because the proposed project results in minor technical project changes with no new significant impacts, and would not require major revisions to the previous EIRs prepared, an Addendum has been prepared for the proposed project [CEQA Guidelines Sections 15162 and 15164], rather than a supplemental or subsequent EIR.

The purpose of this Addendum is to 1) document the currently proposed project for approximately 415,000 sq.ft. of office use, and 563,760 sq.ft. of manufacturing/industrial use fits within the project description that was evaluated in the 2000 Cisco Site 6 EIR, and 2) identify the mitigation measures from the 2000 Cisco Site 6 EIR that are applicable to the subject 57 acre portion of the 152.6 acre site and remain to be implemented as either part of the Planned Development Rezoning and Permit design review process or post-approval.

This section, **Section 4.0 Environmental Setting, Checklist, and Discussion of Impacts**, describes any changes that have occurred in existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project or the changed conditions.

As explained below, the following issues have been adequately addressed in the Final Environmental Impact Report (SCH# 99082003) certified by the City of San José in April 2000 for the Cisco Site 6 Project (File No. PDC99-054) that allows for 2.325 million square feet of new industrial/ office/Research & Development uses on 152.6 acres on both sides of North First Street north of State Route 237, as well as the Final EIR certified for the Envision San Jose 2040 General Plan in 2011 and the Final EIR certified for the North San Jose Development Policies Update in 2005. The existing analysis contained in the Final EIR prepared for the Cisco Site 6 Project continues to adequately address **land use, agriculture/forestry resources, geology/soils, cultural resources, visual/aesthetic resources, energy, public services, population/housing, recreation, minerals, and utilities and service systems** in that

- 1) the nature and scale of the proposed project has not changed,
- 2) the FEIR did not indicate the need for additional analysis at the time specific buildings were proposed for development, and
- 3) there has not been a substantial change in the circumstances involving these issues on the subject site nor in the local environment surrounding the site.

Therefore, no additional analysis or discussion of these topics is required.

The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, was used (excluding the topics noted above) to compare the environmental impacts of the “Proposed Project” with those of the “Approved Project” (i.e., development approved in the 2000 Cisco Site 6EIR and in the 2011 Envision San José 2040 General Plan FPEIR) and to identify whether the proposed project would likely result in new significant environmental impacts. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section.

Mitigation measures are identified for all significant project impacts. “Mitigation Measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guideline 15370). Measures that are required by law or are City standard conditions of approval are categorized as “Standard Project Conditions.” Measures that are proposed by the applicant that will further reduce or avoid already less than significant impacts are categorized as “Standard Construction Practices.”

Each impact is numbered using an alpha-numerical system that identifies the environmental issue. For example, **Impact HAZ – 1**, denotes the first impact in the hazards and hazardous materials section. Mitigation measures and conclusions are also numbered to correspond to the impacts they address. For example, **MM HYD – 2.3** refers to the third mitigation measure for the second impact in the hydrology section. The letter codes used to identify environmental issues are as follows:

Letter Code	Environmental Issue
AIR	Air Quality
BIO	Biological Resources
GHG	Greenhouse Gases
HAZ	Hazards and Hazardous Materials
HYD	Hydrology and Water Quality
NOI	Noise
TRAN	Transportation



Photo 1: Panoramic View of Site from Wilson Way



Photo 2: View of Site From Nortech Parkway



Photo 3: View of Site From Grand Boulevard



Photo 4: Office Building Across Nortech Parkway South of Project Site



Photo 5: Church Across Disk Drive East of Project Site



Photo 6: Open Space/Habitat Preserve Across Disk Drive East of Project Site



Photo 7: Residences Across Grand Boulevard North of Project Site



Photo 8: Park Across Wilson Way West of Project Site



Photo 9: Elementary School Across Tony P. Santos Street West of Project Site

4.1 TRANSPORTATION

The following discussion is based on a Supplemental Traffic Memo by *Hexagon Transportation Consultants* in November 2013, included as Appendix A.

The 2000 Cisco Site 6 FEIR traffic analysis accounted for buildout of 152 acres (including the 57 acre project site) with 2.325 million sq.ft. of office R&D uses. The FEIR found Phase I of the project would not require traffic mitigation, however Phase II was conditioned to construct a set of roadway improvements, described in detail in the FEIR and discussed below. According to the FEIR, project traffic would contribute to significant unavoidable impacts to three Congestion Management Plan intersections in Santa Clara, three City of Milpitas intersections, and 10 regional freeway segments. The City Council in approving the Cisco Site 6 project in 2000 adopted a statement of overriding considerations for these significant unavoidable traffic impacts, finding a) there were no feasible mitigations or alternatives to substantially lessen the impacts and that b) the project benefits outweighed the significant traffic impacts.

4.1.1 Environmental Checklist and Discussion of Impacts

TRANSPORTATION/TRAFFIC						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Information Source(s)
Would the project:						
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,5
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,5
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2

TRANSPORTATION/TRAFFIC						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
5) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
6) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

4.1.2 2000 FEIR Project Impacts

4.1.2.1 Phase 1

As stated above, the 2000 Cisco Site 6 FEIR evaluated the traffic impacts from development of the 152 acre Planned Development Zoning with up to 2.325 million sq.ft. of office/R&D/industrial uses. The FEIR found Phase 1 of the project would not require traffic mitigation, however Phase 1 was conditioned to construct a set of roadway improvements, described below. To date, 427,000 sq.ft. of Phase 1 has been built, and 614,000 sq.ft. approved, leaving 559,000 sq.ft. remaining in Phase 1. For the currently proposed remaining square footage that is part of Phase 1, no additional traffic or trip generation analysis is required. Traffic impact fees have been paid [per the North San Jose Deficiency Plan, as required by PD Permit PD00-027 Condition 18(h)(1)] for development of Phase 1 of up to 1.6 million sq.ft.

4.1.2.2 Phase 2

In the 2000 FEIR, the Cisco Site 6 Project was found to have significant traffic impacts to intersections located within the North San Jose Development Policy area (to the south of SR237) and was conditioned as part of the Planned Development Zoning and Development Agreement to implement a series of mitigation measures with implementation of Phase 2 (i.e., the last 725,000 sq.ft. after the first 1.6 million square feet of the 2.325 million sq.ft project). However, as discussed below, two of those mitigations/improvements are now understood to be infeasible and, therefore, the project’s impacts would not be mitigated as disclosed in the Cisco Site 6 FEIR. This EIR Addendum addresses the traffic impacts of the current project as described below.

2000 FEIR Mitigation

Phase 2 development (i.e. the final 725,000 sq.ft., which includes a portion of the current project covered by applications PDC14-004, PD14-007, and PD13-039) was conditioned in the 2000 Cisco

Site 6 EIR to implement the following three mitigation measures for impacts to intersections within the NSJDP:

1. **Zanker Road & Trimble Road.**

Roadway Improvement: Add a third southbound lane on Zanker Road from Trimble Road to Brokaw Road.

This improvement would require widening Zanker Road, which is currently being undertaken by the City as part of the North San Jose Development Policy Update project, which will widen Zanker Road to six lanes from Montague Expressway to Old Bayshore Road.

2. **North First Street & Tasman Drive.**

Roadway Improvement: Add a second left turn lane from westbound Tasman Drive to southbound North First Street.

This would require widening Tasman Drive and complete realignment of the intersection due to the presence of the LRT tracks, and because of these reasons is now found infeasible.

3. **North First Street.**

Roadway Improvement: Add a third southbound through lane that starts at Rio Robles and ends as a right turn lane at Montague Expressway.

This would require widening North First Street, and is now found infeasible due to unacceptable consequences for other travel modes utilizing the street right-of-way including LRT, and pedestrian and bicycle facilities. With adoption of the updated NSJDP in 2005 the City of San Jose made a policy decision to not widen the four-lane sections of North First Street to six lanes. Instead, the NSJDP includes extensive widening and intersection improvements along Zanker Road, which is a parallel route and capable of accommodating increased vehicle volumes to reduce congestion on North First Street.

While the first improvement/mitigation identified above (involving widening Zanker Road) is being implemented by the City as part of the NSJDP, the other two improvements involve roadway widening that is now considered infeasible. Also, the NSJDP includes improvements to transit services and LRT stations that will provide options to driving in the area. For these reasons, the City does not intend to require or implement these two roadway improvements that are currently conditions of approval for Phase 2 of the Cisco Site 6 project. As a result, the Phase 2 Cisco project impacts would not be mitigated as disclosed in the 2000 EIR, and additional traffic analysis has been completed to evaluate the effects of implementing the remainder of the original 2.325 million sq. ft. without the identified improvements and considering current traffic conditions.

4.1.3 *Updated Traffic Analysis*

Trip Generation

The approved Cisco project consisted of 2.325 million sq. ft. of office/industrial/R&D space. Since the 2000 Cisco approval, there has been one office/R&D project built with 427,000 sq. ft. and another R&D project (237@First Street by SouthBay Development on the west side of North First Street, PD13-012) approved with 614,000 sq. ft., for a total of 1.04 million sq. ft. The Midpoint project proposes to develop the remainder of the Cisco site with 415,000 sq. ft. of office/R&D space and 563,760 sq. ft. of

industrial/manufacturing space for a total of 978,760 sq. ft. This would bring the total on the Cisco site to just over 2 million sq. ft., which is within the total approved 2.325 million sq.ft.

Applying the size¹ of the development to the applicable trip generation rates recommended by the City of San Jose *Traffic Impact Analysis Handbook*, it is estimated that the proposed Midpoint project (development proposed by applications PDC14-004, PD14-007, and PD13-039) would generate 962 AM peak-hour trips (831 inbound trips and 131 outbound trips) and 896 PM peak-hour trips (158 inbound trips and 738 outbound trips). The project trip generation estimates are presented in Table 4.1-1, below. Developing the site with the currently proposed mix of land uses would generate fewer trips than the R&D space that could be built on the site in accordance with the 2000 Cisco approval (see Table 4.1-1).

Table 4.1-1: Trip Generation Estimates							
Land Use	Size (square feet)	Daily Trip Rates	Daily Trips	AM Peak Hour Factor	AM Peak Hour Trips	PM Peak Hour Factor	PM Peak Hour Trips
<i>Approved Project Plan</i>							
R & D Buildings ^a	1,284,000	8.00	10,272	15%	1,541	13%	1,335
<i>Proposed Project Plan</i>							
Four R&D Buildings ^a	415,000	8.00	3,320	15%	498	13%	432
Two Manufacturing Buildings ^b	579,920 ^c	4.00	2,320	20%	464	20%	464
Total Proposed Trips	994,920		5,640		831		896
^a Trip generation rates based on R&D land use from San José TIA Handbook. ^b Trip generation rates based on General Manufacturing land use from San José TIA Handbook. ^c The traffic analysis assumed 16,160 sq.ft. more than currently proposed. Source: City of San José. <i>Traffic Impact Analysis Handbook</i> . August, 2009.							

Intersection Level of Service Analysis

The updated LOS analysis includes a re-evaluation of intersection level of service at each of the City of San Jose study intersections included as part of the original 1999 Cisco traffic study (on which the 2000 FEIR was based) that were projected to operate at LOS D or worse conditions utilizing current methodologies and volume data. According to the consulting traffic engineer, any of the original study intersections operating at LOS C or better would not be significantly

¹ The traffic analysis completed in November 2013 assumed the project would consist of 415,000 sq.ft. of office use and 579,920 sq.ft. of industrial/manufacturing use, or 16,160 sq.ft. (1.6%) more than actually now proposed, therefore the trip generation provided above slightly overstates the anticipated project trips.

affected by the project since the project would not add a sufficient amount of traffic to cause the degradation of levels of service at any intersection by two letter grades, and the proposed project results in the addition of less traffic to the roadway system than the approved land uses for the project site.

The 2000 Cisco Site 6 FEIR traffic study was completed using the old ‘Golden Triangle’ procedures, which looked at average levels of service across all intersections. The City of San Jose has ceased the use of the Golden Triangle procedures. Transportation planning for North San Jose is currently following the North San Jose Development Policy, adopted in 2005.

The updated intersection level of service analysis is based on new existing traffic counts collected in 2012 and 2013 at each of the study intersections. Background conditions include updated approved project data maintained by the City of San Jose. As described above, the 1999 traffic report identified three mitigation measures would be required for the 725,000 sf of Phase 2 development, two of which are now considered infeasible. However, the updated analysis based on current traffic conditions and methodology indicates that each of the three intersections is projected to operate at LOS D conditions with the addition of project traffic. Therefore, the proposed Midpoint project would not result in significant impacts to the intersections and the previously identified mitigation measures are not necessary. The updated level of service analysis results indicate that the addition of project traffic associated with the proposed Midpoint project would result in a significant impact at two intersections (see Table 4.1-2):

Each of the intersections is projected to operate at an unacceptable LOS F under background conditions and the added trips as a result of the project would cause the average critical delay to increase by more than four seconds and the volume-to-capacity ratio to increase by more than one percent (0.01). Based on City of San Jose level of service impact criteria, this constitutes a significant impact. A significant impact by City of San Jose standards is said to be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

Impact TRAN-1: The addition of project traffic would result in a significant impact at Montague Expressway and North First Street.

MM TRAN-1: The intersection of Montague Expressway and North First Street was not identified to be impacted within the NSJDP EIR. However, the intersection is part of the planned Montague widening project that is being funded by the NSJDP Traffic Impact Fee (TIF) and identified as a NSJDP Phase 1 improvement. Montague Expressway will be widened within North San Jose from six to eight lanes between North First Street and I-880. The project will also include the improvement of the I-880 interchange to a partial cloverleaf interchange and intersection improvement at River Oaks/Plumeria and McCandless/Trade Zone. The Montague widening will mitigate the identified project impact at the intersection.

Table 4.1-2: Intersection Levels of Service Analysis

Intersection	Peak Hour	Existing		Background		Project Conditions				With Improvements	
		Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Increase in Critical Delay	Increase in Critical V/C	Avg. Delay	LOS
SR 237/North First Street (N)*	AM	12.0	B	19.4	B	18.4	B	-8.7	0.401		
	PM	19.3	B	23.7	C	46.2	D	25.9	0.179		
SR 237/North First Street (S)*	AM	23.9	C	28.7	C	41.3	D	12.3	0.111		
	PM	20.9	C	25.9	C	29.8	C	7.2	0.095		
North First Street/Headquarters Drive	AM	36.6	D	37.2	D	38.8	D	0.5	0.050		
	PM	43.5	D	45.5	D	45.7	D	2.9	0.047		
North First Street/Tasman Drive	AM	34.2	C	35.6	D	36.2	D	1.8	0.073		
	PM	37.8	D	42.1	D	43.1	D	1.9	0.053		
North First Street/Rio Robles	AM	33.1	C	33.2	C	32.3	C	0.6	0.010		
	PM	42.5	D	45.5	D	47.8	D	4.0	0.053		
North First Street/Trimble Road*	AM	41.9	D	47.9	D	48.9	D	0.3	0.007		
	PM	42.5	D	45.1	D	45.7	D	0.6	0.021		
North First Street/Charcot Avenue	AM	39.2	D	44.0	D	44.3	D	0.6	0.007		
	PM	36.4	D	39.5	D	39.5	D	0.0	0.003		
SR 237/Zanker Road (N)*	AM	9.7	A	12.2	B	12.5	B	0.2	0.053		
	PM	12.1	B	15.8	B	16.8	B	1.2	0.054		
SR 237/Zanker Road (S)*	AM	21.0	C	22.4	C	22.5	C	0.3	0.013		
	PM	12.6	B	15.2	B	15.7	B	0.9	0.036		
Zanker Road/Charcot Avenue	AM	35.2	D	46.0	D	46.4	D	0.5	0.007		
	PM	36.3	D	54.2	D	54.9	D	1.1	0.005		
Zanker Road/Tasman Drive*	AM	36.1	D	39.5	D	40.0	D	0.9	0.017		
	PM	40.3	D	42.6	D	42.8	D	0.3	0.013		
Trimble Road/Tasman Drive	AM	38.6	D	41.9	D	42.0	D	0.3	0.006		
	PM	37.5	D	41.3	D	41.5	D	0.2	0.006		
Brokaw Road/Zanker Road*	AM	35.2	D	43.3	D	43.6	D	0.5	0.007		
	PM	42.1	D	48.3	D	48.4	D	0.3	0.003		
De La Cruz Boulevard/Trimble Road*	AM	26.8	C	25.5	C	25.5	C	0.0	0.004		
	PM	30.4	C	29.8	C	29.9	C	0.2	0.010		

Table 4.1-2: Intersection Levels of Service Analysis

Intersection	Peak Hour	Existing		Background		Project Conditions				With Improvements	
		Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Increase in Critical Delay	Increase in Critical V/C	Avg. Delay	LOS
Orchard Drive/Trimble Road	AM	34.2	C	32.8	C	32.6	C	0.0	0.000		
	PM	37.6	D	44.9	D	44.8	D	0.2	0.009		
Montague Expwy/North First Street*	AM	49.3	D	72.5	E	83.5	F	20.5	0.052	54.3	D
	PM	65.4	E	100.8	F	109.4	F	15.5	0.047	87.6	F
Montague Expwy/Zanker Road*	AM	41.9	D	49.7	D	49.9	D	0.1	0.003		
	PM	54.3	D	107.2	F	109.5	F	3.7	0.007		
Montague Expwy/Trimble Road*	AM	26.9	C	30.8	C	30.7	C	0.0	0.000		
	PM	42.7	D	70.9	E	71.1	E	0.2	0.002		
Montague Expwy/McCarthy-O'Tool*	AM	35.2	D	42.0	D	42.2	D	0.3	0.003	32.4	C
	PM	91.3	F	102.2	F	103.3	F	16.5	0.026	91.0	F
Montague Expwy/Main Street*	AM	65.7	E	81.2	F	83.6	F	3.8	0.010		
	PM	52.6	D	66.5	E	67.3	E	1.2	0.004		
Montague Expwy/Trade Zone Blvd*	AM	36.2	D	38.3	D	38.6	D	0.4	0.006		
	PM	76.1	E	90.8	F	91.2	F	0.1	0.004		

* Denotes CMP Intersections

Bold indicates unacceptable LOS

Impact TRAN-2: The addition of project traffic would result in a significant impact at Montague Expressway and O’Toole/McCarthy Boulevard.

MM TRAN-2: The Montague Expressway and O’Toole/McCarthy Boulevard intersection was shown to be significantly impacted in the NSJDP EIR. A square-loop interchange was identified as a “Project Improvement” in the NSJDP EIR and is planned to be implemented as part of the NSJDP Phase 3 development. The updated analysis indicates that the addition of a separate right-turn lane from O’Toole Avenue to eastbound Montague Expressway would mitigate the identified Midpoint project impact at the intersection. However, consistent with the Amendment to the NSJADP, this project can mitigate by payment of the NSJ traffic impact fee and no further mitigation would be required.

The results of the analysis for the proposed Midpoint project and comparison to the 2005 NSJDP EIR show that the identified impacts and mitigation measures are consistent with those identified in the 2005 NSJDP EIR. Therefore, the traffic impacts associated with the current Midpoint project have been disclosed in the 2000 Cisco Site 6 FEIR and the 2005 NSJDP EIR. The conclusion that the mitigation identified for three NSJ intersections in the 2000 FEIR is now infeasible does not constitute ‘new information’ as that term is defined by CEQA Guidelines Section 15162, nor does the disclosure of the project causing impacts to two NSJ intersections, in that both circumstances have already been disclosed in the 2005 NSJDP EIR and found acceptable by the City Council’s adoption of the updated NSJDP in June 2005. This means the level of service at these two intersections, with traffic from the NSJDP project as well as the approved Cisco Site 6 project trips in the ‘background’, was found acceptable in 2005 without the roadway improvements that had been contemplated in the 2000 Cisco Site 6 FEIR. In essence, the City’s approach to improving these two intersections changed from the approval of the Cisco Site 6 project in 2000 to the adoption of the updated NSJDP in June 2005, and the resulting conditions at those two intersections with trips from NSJDP development and the Cisco Site 6 project have already been disclosed and accepted by policy, and therefore, there is no need to disclose the conditions at those two intersections as new or more severe impacts now in a supplemental or subsequent EIR since they were disclosed in the 2005 NSJDP FEIR.

Therefore, it can be concluded that the transportation network included in the NSJDP would support the trips generated by the Midpoint project. The NSJDP network is being paid for with an adopted traffic impact fee. On December 17, 2013, the City Council modified the NSJDP to allow projects outside the policy area boundary (such as the subject Midpoint project) that contribute trips to intersections within the policy area to pay the TIF to pay fair share fees to fund traffic mitigation. Therefore, it would be appropriate for the Midpoint project to pay the NSJ impact fee, even though the Midpoint project is not within the NSJDP boundary.

The fees are set by the NSJDP, adopted in June 2005. The appropriate fee would be calculated based on the amount of additional PM peak hour trips as a result of the proposed Midpoint development beyond the 1.6 million square feet of office/R&D space approved for Phase 1 of the project site. The project, as part of Planned Development Rezoning File No. PDC14-004, proposes to eliminate the Phase 1/2 site boundary line depicted on the approved land use plan for PDCSH99-054 (see Figure 3.0-1). Currently, development south of the line is considered Phase 1 and north of the line is

Phase 2. Elimination of this phasing line would allow the first 1.6 million sq.ft. of development to qualify for Phase 1 regardless of location on the site, and provide that any development after the first 1.6 million sq.ft. would be subject to applicable mitigation (i.e. NSJ fees) regardless of location on the site. The 20104 fee is \$13.54 per square foot of new industrial buildings and is subject to an annual escalation of 3.3% on July 1st and the next fee escalation will occur on July 1st, 2015. The payment of the NSJ impact fee would cover the square loop interchange at Montague Expressway and O'Toole Avenue that is a planned Phase 3 NSJ improvement.

As stated in Table 4.5-1 in section 4.5 *Greenhouse Gases* below, the project will prepare and implement a TDM program to facilitate employees traveling to/from the site using modes other than single-occupant vehicles, and will be designed so as to not conflict with plans, policies, or programs regarding public transit, bicycle, or pedestrian facilities, or decrease the performance or safety of such facilities.

4.1.4 Truck Traffic

In response to concerns of residents along Grand Avenue in Alviso, the effects of truck traffic associated with the proposed project were reviewed by *Hexagon Transportation Consultants*. It is estimated, based on the number of loading docks (78), that up to 156 daily truck trips may be generated by the three proposed manufacturing buildings on the project site. Operations at the manufacturing buildings will occur between 6:00 am and 12:00am. Therefore, it is estimated that an average of nine truck trips per hour will be generated by the proposed manufacturing buildings. It is expected that the majority of truck traffic would originate from and be bound for SR 237. The truck travel routes will consist of the use of North First Street, Nortech Parkway, and Disk Drive. See Figure 4.2-1 in the following **Section 4.2 Noise** depicting truck circulation. The project does not propose to locate driveways that would serve truck traffic along Grand Avenue. In addition, it is recommended that “No Truck Traffic on Grand Avenue” signs be placed along Disk Drive and Los Esteros Road. Based on the identified truck routes, the additional truck traffic estimated to be generated by the proposed manufacturing buildings on the project site will not result in an increase in truck traffic along Grand Avenue. Though project truck traffic would result in a slight increase in truck traffic volumes along North First Street, Nortech Parkway, and Disk Drive, the increase would not cause significant impacts to traffic flow along those streets.

Consistent with the conclusions of the 2000 Cisco Site 6 FEIR, the proposed site plan includes appropriately designed driveway access points and on-site circulation to ensure the project would not result in driving hazards and would provide adequate emergency access. The proposed office/R&D and industrial development would have no impact on air traffic patterns.

4.1.5 Conclusion

The proposed project was accounted for in the 2000 Cisco Site FEIR traffic analysis of the development of the 152 acre Cisco Site 6 property with 2.325 million sq.ft. of office/R&D/industrial uses, and the project would contribute to the significant unavoidable traffic impacts disclosed in the FEIR, for which a statement of overriding considerations was adopted by the City Council in 2000. While Phase 2 of the development would no longer implement roadway improvements identified in the 2000 Cisco Site 6 EIR, updated traffic analysis completed for the project documents the traffic conditions without the infeasible improvements have already been disclosed in the 2005 NSJDP FEIR, and the Midpoint project will pay applicable traffic impact fees to provide a fair share

contribution to the comprehensive package of roadway improvements included as part of the NSJDP, thereby allowing the Midpoint project to mitigate for its impacts in a manner consistent with the current NSJDP. **[Same Impact as Approved Project (Significant Unavoidable Impact)]**

4.2 NOISE

The following discussion is based on a Loading Dock Noise Study prepared by *Charles M. Salter Associates, Inc.* in March 2014, attached as Appendix B.




4.2.1 Setting

4.2.1.1 *Existing Noise Conditions*

The project site is located at the northeast corner of the intersection of North First Street and Nortech Parkway, in the Alviso area of San José (refer to Figure 2.0-2). It is currently vacant. The noise impacting the project site primarily results from transportation noise sources in the site vicinity, including aircraft overflights from Mineta International Airport, traffic on North First Street and on State Route 237. The project site falls within noise exposures ranging from 52-68 dBA Ldn. Sensitive uses (George Mayne Elementary school and housing) are present across Tony P.Santos Drive/Wilson Way and across Grand Boulevard.

4.2.1.2 *Noise Standards*

Based on the City’s General Plan, Table 4.2-1 shows the noise levels considered consistent with specific land uses. For office and commercial uses, outdoor noise levels of up to 70 decibels are considered satisfactory and up to 75 decibels are permitted for new development if the indoor noise level does not exceed 45 decibels and outdoor uses are limited to acoustically protected areas.

Table 4.2-1 General Plan Land Use Compatibility Guidelines (GP Table EC-1)						
Land Use Category	Exterior DNL Value in Decibels					
	55	60	65	70	75	80
1. Residential, Hotels and Motels, Hospitals and Residential Care ¹						
2. Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds						
3. Schools, Libraries, Museums, Meeting Halls, and Churches						
4. Office Buildings, Business Commercial, and Professional Offices						
5. Sports Arena, Outdoor Spectator Sports						
6. Public and Quasi-Public Auditoriums, Concert Halls, and Amphitheaters						
¹ Noise mitigation to reduce interior noise levels pursuant to Policy EC-1.1 is required.						
<p>Normally Acceptable:  Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.</p>						
<p>Conditionally Acceptable:  Specified land use may be permitted only after detailed analysis of the noise reduction requirements and noise mitigation features included in the design.</p>						
<p>Unacceptable:  New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies. Development will only be considered when technically feasible mitigation is identified that is also compatible with relevant design guidelines.</p>						

Relevant San José General Plan Policies

Policy EC-1.3 Mitigate noise generation of new nonresidential land uses to 55 dBA DNL at the property line when located adjacent to existing or planned noise sensitive residential and public/quasi-public land uses.

Policy EC-1.7 Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City’s Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:

- Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months.

For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.

4.2.3 Environmental Checklist and Discussion of Impacts

NOISE						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project result in:						
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,6
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,6
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,6

4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,6
5) 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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

4.2.3.1 Noise Impacts from the Project

Traffic-Generated Noise Impacts

Sensitive uses (elementary school, residences) are present across Tony P. Santos Drive/Wilson Way and across Grand Boulevard, and the 2000 Cisco Site 6 EIR concluded the development of the 152 acre site with 2.325 million sq.ft. of office/R&D/industrial uses would result in significant traffic noise impacts and therefore the 2000 FEIR includes the following mitigation measure to reduce impacts to acceptable levels:

MM NOI – 1: The project will include an irrevocable offer to the owners of the impacted dwellings and to the School District, to implement the appropriate noise mitigation measures, including:

Noise insulation treatments would be added to residential buildings (including 5004 and 5010 North First Street and the residences along Grand Boulevard, east of the Disk Drive extension) and the George Mayne Elementary School along North First Street, to ensure the interior noise levels do not exceed the City’s acceptable noise level objective of 45 dBA Ldn for interior spaces. The project shall provide or ensure that forced air mechanical ventilation is included for all noise-sensitive land uses where significant noise increases are identified and interior future noise levels would be 45 dBA Ldn or greater with the windows partially open. These include the single-family residences at 5004 and 5010 North First Street and the residences along Grand Boulevard east of the Disk Drive extension, and Classrooms A, B, 1, and Portable K of the George Mayne Elementary School. This would allow occupants of these buildings to close windows in the future to control noise.

In addition, the project shall replace all western-facing windows at the residences and Classroom A of the George Mayne Elementary School with windows having either a Sound Transmission Class rating of 33 or greater, or the following characteristics:

- 1) Dual Pane assemblies with one or both panes of ¼-inch laminated glass and a minimum airspace between panes of 3/8 inch;
- 2) Windows employing either a fixed sash or an efficiently weather stripped operable sash. The sash should be rigid and weather stripped with material that is compressed air tight when the window is closed so as to conform to an infiltration test not to exceed 0.5 cubic inches per minute per foot of crack length;
- 3) Glass of fixed-sash windows should be sealed in an airtight manner with a non-hardening sealant, soft elastomer, or glazing tape.

The irrevocable offer shall be made before any start of grading, and shall remain in effect until at least two years after final occupancy of the last building constructed in Phase I of the proposed project, as Phase I is described in the EIR. If any of impacted dwelling are rental (i.e. if the owner of either dwelling is not a resident of that dwelling), the resident(s) will also be informed of the irrevocable offer.

With implementation of the identified mitigation, significant noise impacts from project generated traffic would be reduced to less than significant levels consistent with City noise policies. **(Less Than Significant Impact with Mitigation Incorporated)**

Operational Impacts - Equipment and Activity at the Project Site

The 2000 FEIR (pg.152) identified that project-generated noise would be primarily from mechanical equipment, loading dock operations, and parking lot activity, and that mechanical equipment and loading dock operations would be limited to 55 dBA Ldn at the property line to meet General Plan noise guidelines. Since the location and configurations of specific equipment were not known in 2000, the FEIR provides that prior to approval of a PD Permit for buildings near sensitive uses, a noise analysis will be completed to verify that noise levels from the building operation would comply with General Plan standards. Such an analysis (see Appendix B) was completed for the current Midpoint project which includes industrial buildings with loading dock operations that could affect nearby sensitive uses.

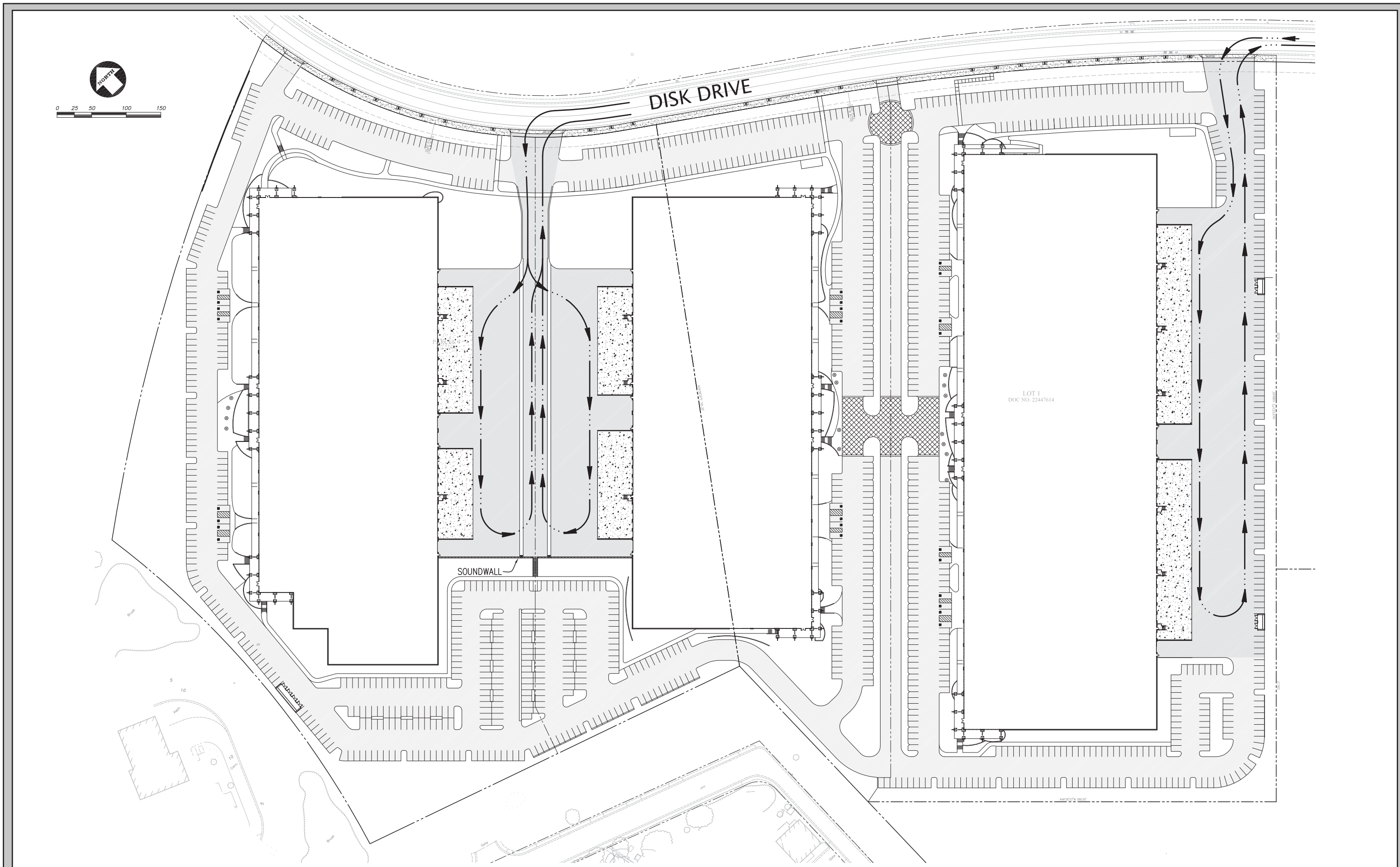
The 2014 environmental noise assessment considered the impact of the project on surrounding sensitive uses, including the George Mayne Elementary School, nearby residences, and the Jubilee Church, located across Disk Drive. To quantify the existing environment, monitors measured noise levels at North First Street, Grand Boulevard, Wilson Way, and at the location of the westernmost proposed loading dock. See Table 4.2-2, Existing Noise Levels.

Table 4.2-2: Existing Noise Levels			
Site^a	Location	Date/Time of Measurement	DNL (dB)
L1	Grand Boulevard Monitor (~20 ft SE of Grand Blvd centerline)	November 13-19, 2013	62 dB
L2	North 1 st Street Monitor (~40 ft NE of N. 1 st Street median)	November 13-19, 2013	68 dB
S1	Grand Boulevard Spot (~20 ft NW of Grand Blvd centerline)	November 14, 2013 1:40-1:55pm	60 dB
S2	Loading Dock Spot (location of proposed westernmost loading dock)	November 14, 2013 12:35-12:50pm	53 dB
S3	Wilson Way Spot (~20 ft SW of Wilson Way centerline)	November 14, 2013 1:10-1:25pm	52 dB
^a See Figure 4.2-2 for noise measurement locations			

Project operational noise levels were calculated using the following assumptions about truck activity:

1. Trucks will not be allowed to venture into the parking lots on the north, east, and west sides of Parcels 3 and 5, as well as the east, west, and south sides of Parcel 4. Therefore, it is assumed that each truck will enter through either the northernmost or southernmost entrance along Disk Drive (whichever is closest to their destined loading dock). Trucks will drive down that aisle directly to their respective loading dock, and then exit along the same path by which they arrived. See Figure 4.2-1 below.
2. Any non-truck noise associated with loading/unloading activities (i.e., forklifts, rolling doors, carts, items dropping) is assumed to be completely contained with the warehouse facility, and is therefore not included in the analysis.
3. An average truck trip (not including unloading/loading) is estimated to last for a cumulative period of about 2 minutes, and be at least 470 feet from residential property lines and 350 feet from the school property line.
4. Calculations assume that trucks occupy loading dock nearest to noise-sensitive receivers
5. Total number of loading docks across entire site: 78
 - Bldg 1 (south side): 21
 - Bldg 2 (north side): 21
 - Bldg 3 (south side): 36
6. Total number of trips per truck: 2
7. Total number of truck trips across entire site: 156
8. 18 total hours of facility operation (6:00 AM to Midnight), Monday through Friday
9. Total number of truck trips per hour across entire site: 9, one to two per hour per loading area

See also Figure 4.2-1 Truck Routes depicting truck access and circulation on site. Figure 4.2-2 depicts noise measurement locations and the existing noise exposures for receptors near the site.



TRUCK ROUTES

FIGURE 4.2-1



NOISE MEASUREMENT AND RECEPTOR LOCATIONS

FIGURE: 4.2-2

Calculated project-generated DNL noise levels account for shielding provided by proposed barriers. Table 4.2-3, below, summarizes the modeling results:

Receiving Property Line Location	DNL (dB)				
	Existing at Receiver	Project at Receiver (Policy EC-1.3)		Combined at Receiver (Existing plus Project)	Increase from Existing (Policy EC-1.2)
		Trucks	Employee Vehicles Parking		
Grand Boulevard Residences	60	34	37	60	<1
North 1 st Street Residences east of Tony P. Santos Street	57	52	35	58	1
George Mayne Elementary School	52	50	43	54	2
Jubilee Church	Not Measured	52	32	58	N/A

Residential Receivers – As designed, estimated operational noise from on-site trucks and vehicles ranges from approximately DNL 52 dB or lower along receiving residential property lines to the north and west of the site (including the nearby SJFD Fire House, and the North First Street and Grand Boulevard residences), which complies with the General Plan Policy EC-1.3 goal of DNL 55 dB or lower.

Elementary School Receiver – The estimated operational noise level at the George Mayne Elementary School property line is DNL 50 dB (with acoustical shielding from the proposed 9.5 foot tall solid noise barrier shown along the west side of the western loading areas of Buildings 1 and 2), which meets the City’s goal of DNL 55 dB or lower (Policy EC-1.3) from project-generated noise. The increase of 2 dB to a combined noise environment of 54 DNL is not considered significant.

Jubilee Church Receiver – Estimated day/night average operational noise levels from on-site trucks and vehicles are estimated to be DNL 52 dBA at the Jubilee Church (without any noise barriers), which is consistent with the City’s DNL 55 dB limit.

Based on the noise study, it can be concluded noise from the project will increase overall 24-hour DNL noise levels at noise-sensitive receiver locations by 2 dBA or less, assuming the use of docks per the assumptions described above, including a solid noise barrier screening the elementary school. This increase is not expected to be noticeable, complies with City of San Jose General Plan noise policies, and is consistent with the conclusions of the 2000 FEIR. Project-generated operational noise (due to on-site trucks and vehicles) is expected to comply with the City’s goal of DNL 55 dB or lower from non-residential sources. **(Less Than Significant Impact)**

Short-Term Construction Impacts

Construction noise impacts primarily occur when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), in areas immediately adjoining noise sensitive land uses, or when construction occurs over extended periods of time. Significant noise impacts do not normally occur when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period at a particular sensitive receptor is limited to one construction season (typically one year) or less. Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction materials, would reduce construction-related noise impacts.

Since construction activities would take longer than 12 months, the proposed project is required to implement a noise logistics plan, per General Plan Policy EC-1.7 and as described in detail below, prior to project approval.

The proposed project would not result in any new or more significant construction-related impacts than were described in the certified 2000 Cisco Site 6 FEIR. The proposed project would result in a short-term increase in noise levels in the project area during site preparation and construction activities, which could, if unregulated, adversely affect a noise-sensitive use.

Standard Project Conditions will be implemented as part of the project. Implementation of General Plan Policy EC-1.7 *Community Noise Levels and Land Use Compatibility Policy* will require a noise logistics plan which would include, but not be limited to, the following measures to reduce construction noise levels as low as practical:

Standard Project Conditions: The project will implement the following measures, as documented in a noise logistics plan, to reduce construction noise levels as low as practical:

- Utilize ‘quiet’ models of air compressors and other stationary noise sources where technology exists.
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;

- If impact pile driving is proposed, multiple-pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced;
- If impact pile driving is proposed, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected;
- If impact pile driving is proposed, foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. Notify all adjacent land uses of the construction schedule in writing;
- Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. The telephone number for the disturbance coordinator at the construction site will be posted and included in the notice sent to neighbors regarding the construction schedule.

With implementation of the standard noise conditions identified above, construction noise impacts to nearby sensitive land uses would be reduced to acceptable levels. **(Less Than Significant Impact)**

4.2.3.2 *Noise Impacts to the Project*

The proposed project is the development of office/industrial uses on a site with outdoor noise levels ranging from 52-68 dBA DNL. Outdoor noise levels of up to 75 decibels DNL are considered satisfactory for industrial park sites, and noise levels at the project site do not exceed 75 decibels. Standard construction techniques (including fixed windows and mechanical ventilation) would reduce interior noise levels 30 decibels lower than the exterior levels, resulting in building interior noise levels of less than 45 decibels.

The office/industrial land use is compatible with aircraft noise impact areas and compliant with the General Plan noise policies. The project would not result in any new or more significant noise levels than were previously described in the Cisco Site 6 FEIR. **(Less Than Significant Impact)**

4.2.4 Conclusion

Traffic from the proposed project would contribute to noise increases on streets surrounding the site, which would result in significant impacts at some noise-sensitive receptors. Noise insulation treatments would be added to residential buildings (including 5004 and 5010 North First Street and the residences along Grand Boulevard, east of the Disk Drive extension) and the George Mayne Elementary School along North First Street, to ensure the interior noise levels do not exceed the

City’s acceptable noise level objective of 45 dBA Ldn for interior spaces. [**Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)**]

Noise from project operations (due to on-site trucks and vehicles) will increase overall 24-hour DNL noise levels at noise-sensitive receiver locations by 2 dBA or less. This increase is not expected to be noticeable, complies with City of San Jose General Plan noise policies, and is consistent with the conclusions of the 2000 FEIR. Project-generated operational noise is expected to comply with the City’s goal of DNL 55 dB or lower from non-residential sources. [**(Same Impact as Approved Project (Less than Significant Impact))**]

In addition, the proposed project would result in a short-term increase in noise levels in the project area during construction activities, which could adversely affect a noise-sensitive use. Standard Project Conditions will be implemented as part of the project. The proposed project, with the implementation of the above standard project conditions, would not result in any new or more significant operational or short-term construction noise impacts than disclosed in the 2000 Cisco Site 6 FEIR. [**(Same Impact as Approved Project (Less than Significant Impact))**]

4.3 AIR QUALITY

The following discussion is based on a Construction and Operational Health Risk Assessment prepared by *Illingworth & Rodkin, Inc.*, in February 2014, attached as Appendix C.

4.3.1 Setting

4.3.1.1 *Climate and Topography*

The City of San José is located in the Santa Clara Valley within the San Francisco Bay Area Air Basin. The project area's proximity to both the Pacific Ocean and the San Francisco Bay has a moderating influence on the climate. This portion of the Santa Clara Valley is bounded to the north by the San Francisco Bay and the Santa Cruz Mountains to the southwest and the Diablo Range to the east. The surrounding terrain greatly influences winds in the valley, resulting in a prevailing wind that follows along the valley's northwest-southwest axis.

Pollutants in the air can cause health problems, especially for children, the elderly, and people with heart or lung problems. Healthy adults may experience symptoms during periods of intense exercise. Pollutants can also cause damage to vegetation, animals, and property.

4.3.1.2 *Regional and Local Criteria Pollutants*

Major criteria pollutants, listed in "criteria" documents by the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter (PM). These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms.

Violations of ambient air quality standards are based on air pollutant monitoring data and are judged for each air pollutant. The Bay Area as a whole does not meet state or federal ambient air quality standards for ground level ozone and PM_{2.5} and state standards for PM₁₀. The area is considered attainment or unclassified for all other pollutants.

4.3.1.3 *Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter*

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). These contaminants tend to be localized and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods.

Fine Particulate Matter (PM_{2.5}) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to PM_{2.5} can cause a wide range of health effects. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Common stationary source types of TACs and PM_{2.5} include gasoline stations, dry cleaners, and diesel backup generators which are subject to permit requirements. The other, often more significant, common source is motor vehicles on freeways and roads. Diesel exhaust, in the form of diesel particulate matter (DPM), is the predominant TAC in urban air with the potential to cause cancer. It is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to the California Air Resource Board (CARB), diesel exhaust is a complex mixture of gases, vapors, and fine particles.

4.3.1.4 Sensitive Receptors

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, school playgrounds, child-care centers, retirement homes, convalescent homes, hospitals and medical clinics. The closest sensitive receptors to the project site are existing single-family residences immediately south of the site, across Tony P. Santos Street. Additionally, George Mayne Elementary School is located immediately south across Wilson Way. Jubilee Christian Center is located to the northeast across Disk Drive. It is unclear if this location includes sensitive receptors. To be conservative, this analysis assumed daycare facilities were part of this land use.

4.3.1.5 Community Risk Thresholds of Significance

The Bay Area Air Quality Management District (BAAQMD) identified significance thresholds for exposure to TACs and PM_{2.5} as part of its May 2011 *CEQA Air Quality Guidelines*². The analysis completed for the project addresses single-source construction and operational impacts to nearby off-site receptors. The project would have a significant impact and mitigation would be required if it were to cause:

1. An excess cancer risk level of more than 10 in 1 million, or a non-cancer (chronic or acute) hazard index greater than 1.0.
2. An incremental increase of more than 0.3 micrograms per cubic meter (µg/m³) annual average PM_{2.5}.

4.3.2 Air Quality Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
1. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,7

²BAAQMD, 2011. *BAAQMD CEQA Air Quality Guidelines*.

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Checklist Source(s)
Would the project:						
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
4. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3,7
5. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3

The currently proposed project will result in the same Significant Unavoidable Impact from criteria air pollutant emissions as the Cisco Site 6 project. The proposed project will also result in the same construction period impacts (Less than Significant with Mitigation Incorporated) as the Cisco Site 6 project, as described below.

4.3.2.1 Construction-Related Impacts

Construction activities would temporarily affect local air quality. Construction activities such as earthmoving, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

On-Site Construction TAC Emissions

Construction of the project would result in the generation of toxic air contaminants (TACs), including diesel PM, from trucks and off-road equipment exhaust emissions. Construction activity on the project site will vary over time and the emissions of TACs would also be temporary given the relatively short timeframe diesel equipment will be used. The closest sensitive receptors to the project site are existing single-family residences immediately south of the site, across Tony P. Santos Street. Additionally, George Mayne Elementary School is located immediately south across Wilson Way. Jubilee Christian Center is located to the northeast across Disk Drive.

The refined health risk assessment prepared for the project focused on modeling on-site construction activity using construction fleet information included in the project design. Construction period emissions were modeled using the California Emissions Estimator Model, Version 2013.2.2 (CalEEMod) along with projected construction activity. The number and types of construction equipment and diesel vehicles, along with the anticipated length of their use for different phases of construction were based on the provided site-specific construction activity schedule. Construction of the project is expected to occur over about a 16-month period assumed to begin in Fall 2014 and continue through Spring 2016.

The maximum-modeled annual DPM concentration occurred at the residence north of the project site along Grand Boulevard. Since the modeling was conducted under the conservative assumption that emissions occurred 365 days per year, the default BAAQMD exposure period of 350 days per year was used for children and adults. Results of this assessment indicate that, with project construction, the incremental child cancer risk at the maximally exposed individual (MEI) would be 6.0 in one million and the adult incremental cancer risk would be 0.3 in one million. These predicted excess cancer risks are below the BAAQMD significance threshold of 10 in one million and are not considered a significant impact.

The modeled maximum annual PM_{2.5} concentration was 0.07 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), occurring at George Mayne Elementary School near the southern boundary of the construction area. This PM_{2.5} concentration is below the BAAQMD threshold of 0.3 $\mu\text{g}/\text{m}^3$ used to judge the significance of impacts for PM_{2.5}.

Potential non-cancer health effects due to chronic exposure to DPM were also evaluated. The chronic inhalation reference exposure level (REL) for DPM is 5 $\mu\text{g}/\text{m}^3$. The maximum predicted annual DPM concentration was 0.05 $\mu\text{g}/\text{m}^3$, which is much lower than the REL. The Hazard Index (HI), which is the ratio of the annual DPM concentration to the REL, is 0.01. This HI is much lower than the BAAQMD significance criterion of a HI greater than 1.0.

The project would have a *less-than-significant* impact with respect to community health risk caused by construction activities.

Construction Dust

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when, and if, underlying soils are exposed to the atmosphere. The effects of construction activities would be increased dustfall and locally elevated levels of PM₁₀ downwind of construction activity.

The BAAQMD acknowledges that the implementation of the best management practices identified in the discussion of construction dust emissions above would reduce diesel PM exhaust emissions. With implementation of construction best management practices, including restrictions on the idling of construction vehicles, construction TAC emissions from the project site would be limited.

Impact AQ-1: The development of the proposed project would contribute to the significant construction-related, short-term air quality impacts identified in the certified 2000 Cisco Site 6 FEIR. The proposed project, however, would not result in

any new or more significant construction-related air quality impacts than were previously described. [**Same Impact as Approved Project (Less than Significant with Mitigation Incorporated)**]

MM AQ-1.1:

Temporary Air Quality impacts may result from construction activities on the subject site. Implementation of the standard project conditions listed below, consistent with current BAAQMD recommendations for large projects, will reduce the temporary construction impacts to a less than significant level.

BAAQMD Basic Construction Mitigation Measures Recommended for All Proposed Projects (BAAQMD CEQA Guidelines Table 8-1)

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 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.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 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.
- Replant vegetation in disturbed areas as quickly as possible.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

MM AQ-1.2: BAAQMD Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold (BAAQMD CEQA Guidelines Table 8-2)

- All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Minimizing the idling time of diesel powered construction equipment to two minutes.
- The project shall develop a plan demonstrating that off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

- Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
- Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- Requiring all contractors use equipment that meets CARB’s most recent certification standard for off-road heavy duty diesel engines.

4.3.2.2 *Regional and Local Air Quality Operational Impacts*

Criteria Pollutants

The development of the proposed project would contribute to the significant unavoidable regional and local air quality impacts identified in the certified 2000 Cisco Site 6 FEIR. The proposed office development is included within the overall amount of new job growth anticipated to occur in the approved 152 acre Cisco Site 6 Planned Development zoning. While the proposed project would generate substantial criteria pollutants from vehicular trips, the proposed project would not result in any new or more significant regional or local air quality impacts than were described in the certified 2000 Cisco Site 6 FEIR.

The project may eventually include standby emergency generators to power the site in the event of loss of electricity. Since the model/specifications for potential generators is not known at this time, additional environmental review will be completed by the City of San José prior to issuance of a development permit allowing their installation. The installation of future generators will be required to comply with BAAQMD air quality standards, which will be confirmed as part of the review of the future development permit required for any new generator. **(Less Than Significant Impact)**

The project will also implement TDM measures to reduce the number of daily vehicle trips resulting from the proposed development. For these reasons, the proposed project would not result in new significant impacts to regional and local air quality.

Impact AQ-2: Traffic from the proposed project would contribute to significant criteria air pollutant emissions. This impact was identified in the certified 2000 Cisco Site 6 FEIR and the City Council adopted a statement of overriding consideration for the impact. **[Same Impact as Approved Project (Contribution to Significant Unavoidable Cumulative Impact)]**

MM AQ-2: The following mitigation measure is identified as part of the certified 2000 Cisco Site 6 FEIR and is proposed by the project:

- 1) Provide physical improvements, such as sidewalk improvements, connections to existing pedestrian facilities, landscaping and bicycle parking that would act as incentives for pedestrian and bicycle modes of travel, including lunch time travel;

- 2) Connect the project with the regional bikeway/pedestrian trail system;
- 3) Provide shuttle bus service to regional transit centers;
- 4) Provide on-site shops and services for employees, such as cafeteria, bank/ATM, and dry cleaners;
- 5) Provide preferential parking for carpool/vanpool vehicles;
- 6) Provide showers and lockers for employees bicycling or walking to work, and provide secure and conveniently located bicycle parking and storage for workers;
- 7) Implement feasible TDM measures, including a parking cash-out program, ride-matching program, guaranteed ride home programs, coordination with regional ridesharing organizations, and a transit incentives program, including VTA's Eco Pass Program.

Community Health Impacts

The manufacturing component of the project would be a source of truck traffic on a regular basis. Trucks would be a source diesel particulate matter (DPM) emissions from future loading activities and nearby travel. The air quality analysis was performed on the assumption that the project would include 110 loading docks generating approximately 220 one-way truck trips each day. The project has since been redesigned and includes 78 loading docks producing approximately 156 one way truck trips each day. Therefore, the modeled results are based on an additional 54 daily trips and serve to overstate the actual predicted emissions. These truck trips would use Disk Drive, Nortech Parkway and North First Street. Based on modeled DPM concentrations, cancer risks were calculated for a 70-year exposure.

The maximum increased DPM cancer risk from the project site truck emissions is 0.6 per million. The annual PM_{2.5} concentration due to DPM emissions would be 0.00113 µg/m³. The corresponding Hazard Index would be well below 1.0.

Substantial additional sources of TACs are not located within 1,000 feet of the project site. Excess cancer risk associated project construction and operation would be less than 6.6 chances per million. The maximum annual PM_{2.5} concentration would be less than 0.07 µg/m³. This impact would be considered *less than significant*.

4.3.3 Conclusion

The proposed project, with the implementation of the BAAQMD recommended construction mitigation measures, would not result in any new or more significant construction-related air quality impacts than those addressed in the certified 2000 Cisco Site 6 FEIR. **[Same Impact as Approved Project (Less than Significant with Mitigation Incorporated)]**

The proposed project, once operational, would not result in any new or more significant regional or local air quality impacts than those addressed in the certified 2000 Cisco Site 6 FEIR. **[Same Impact as Approved Project (Contribution to Significant Unavoidable Cumulative Impact)]**

4.4 BIOLOGICAL RESOURCES

4.4.1 Existing Setting

The subject 57 acre site remains vacant, and there are no trees or wetlands present on this portion of the 152 acre Cisco Site 6 property. Substantial fill has already been imported to the southern portion (26 acres) of the subject 57 acre site based on issuance of a grading permit issued in 2013. The northern portion (31 acres) of the site has not received fill and remains in an undeveloped state as described in the 2000 Cisco Site 6 FEIR.

4.4.2 Environmental Checklist and Discussion of Impacts

BIOLOGICAL RESOURCES						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2

BIOLOGICAL RESOURCES						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

4.4.2.1 Special-Status Plants and Wildlife

In approving the project for 2.325 million sq.ft. of new industrial/office/R&D covering 152.6 acres on both sides of North First Street, the City in 2000 adopted a Mitigation Monitoring and Reporting Plan, identifying the various mitigation measures applicable to the two phases of office development. As noted previously, the proposed office and industrial development includes the remaining undeveloped part of Phase I and all of Phase II.

Burrowing Owls

The site surveys conducted as part of the 2000 Cisco Site 6 EIR documented use of the 152 acre site for nesting and foraging by burrowing owls. Owl activity was primarily focused on the portion of the site east of North First Street, including the subject 57 acres. As part of the implementation of the Phase I entitlements on the east side of North First Street, a Burrowing Owl mitigation plan was prepared and implemented. Included in the plan was a 21.7 acre habitat preserve set aside in the northern corner of the 152 acre site (on the east side of Disk Drive) that has been managed and enhanced for burrowing owls, including the creation of at least 12 artificial nesting burrows in upland habitat. Annual reports on management actions and habitat preserve performance have been submitted to the City documenting compliance with the established success criteria. This 21.7 acre preserve was required as mitigation for the loss of burrowing owl habitat across the 152 acre site, including the subject 57 acres, and under the terms of the valid Development Agreement, no additional mitigation is required for the current project. The loss of on-site owl habitat was a significant and unavoidable impact, as disclosed in the 2000 Cisco Site 6 FEIR.

As noted above, substantial fill has already been imported to the site, such that no grassland habitat remains on the southern portion (26 acres) of the subject 57 acres, therefore that portion of the site no longer contains nesting habitat suitable for owls, and the pre-construction survey requirements identified in the 2000 Cisco Site 6 EIR (pgs.86-87) are no longer applicable to areas disturbed by fill. The northern portion (31 acres) of the site has not received fill, ground squirrel burrows remain present, and therefore that portion of the site continues to provide potentially suitable nesting habitat for burrowing owls. The pre-construction survey requirements and CDFW protocols identified in the

EIR to protect nesting activity, if any is occurring at the time construction is about to commence, remain applicable and must be implemented prior to grading and/or construction activities on the site.

White-Tailed Kites

The 2000 Cisco Site 6 EIR identified the project could result in impacts to nesting white-tailed kites who could utilize large trees present on the property at the time the EIR was prepared. The EIR (pgs.85-86) identified pre-construction survey requirements and CDFW protocols to protect nesting activity, if any was occurring at the time construction was about to commence. However, with the development of portions of the 152 acre site and removal of the large trees, the subject 57 acre site no longer contains nesting habitat suitable for white-tailed kites, and the pre-construction survey requirements no longer remain applicable to the subject 57 acres. As noted above, substantial fill has already been imported to the southern portion of the site.

Northern Harriers

The 2000 Cisco Site 6 EIR identified the project could result in impacts to nesting Northern Harriers, if harriers were to begin nesting in the ruderal habitat present on site at the time. As noted above, substantial fill has already been imported to the southern portion (26 acres) of the site, such that no grassland/ruderal habitat suitable for harriers remains on that portion of the site, and the pre-construction survey requirements identified in the 2000 Cisco Site 6 EIR (pgs.86-87) are no longer applicable. The northern portion (31 acres) of the site has not received fill, and therefore that portion of the site continues to provide suitable nesting habitat. The pre-construction survey requirements and CDFW protocols identified in the EIR to protect nesting activity, if any is occurring at the time construction is about to commence, remain applicable and must be implemented prior to grading and/or construction activities on the site.

Congdon's Tarplant

The site surveys conducted as part of the 2000 Cisco Site 6 EIR documented a population of Congdon's Tarplant on the 152 acre site; the tarplant was found exclusively on the portion of the site east of North First Street. As part of the implementation of the 2000 Phase I entitlements on the east side of North First Street, the 21.7 acre habitat preserve set aside in the northern corner of the 152 acre site (now east of Disk Drive) contained the major portion (17 acres) of the site's tarplant population, and the preserve has also been managed and enhanced for tarplant. Annual reports on management actions and habitat preserve performance have been submitted to the City documenting compliance with the established success criteria. As noted above, substantial fill has already been imported to the site, and the northern portion of the site that has not received fill has been regularly disked/mowed. No new mitigation is proposed or required.

Wetlands

The site surveys conducted as part of the 2000 Cisco Site 6 EIR documented relatively small areas of jurisdictional and non-jurisdictional wetlands on the 152 acre site; the wetland areas were found exclusively on the portion of the site east of North First Street. As part of the implementation of the 2000 Phase I entitlements on the east side of North First Street, the 21.7 acre habitat preserve set aside in the northern corner of the site (now on the east side of Disk Drive) includes 0.68 acres of new jurisdictional wetlands. Annual reports on management actions and habitat preserve

performance have been submitted to the City documenting compliance with the established success criteria. As noted above, substantial fill has already been imported to the site. No new mitigation is proposed or required.

4.4.2.2 *Santa Clara Valley Habitat Conservation Plan*

The project site is located within the Habitat Plan, which became effective October 14, 2013, however as explained below, because the project is covered by an approved Development Agreement, it is not subject to the Habitat Plan. The Habitat Plan (Chapter 2, Section 2.3 *Covered Activities*) provides that with regard to any development agreement between a Permittee and a private developer, the adoption and implementation of the Habitat Plan will not add or remove any of the rights and obligations of the parties to a development agreement that: (1) was entered into and adopted prior to the operative date of the Habitat Plan, and (2) remains consistent with the Permittee's land use approvals for the project.

The Development Agreement that was approved in 2000 with a 20 year term covering the entire 152 acre site, including the subject 57 acres, remains in full force and effect. The DA provides assurances that the project may be developed in accordance with the existing ordinances, resolutions, policies, and regulations of the City in place as of the effective date of the agreement (i.e. November 2000). The portion of the Planned Development Zoning PDCSH99-054 (implemented by File No. PD00-027) constructed on the east side of North First Street has implemented the biological mitigation identified (i.e. the 21.7 acre habitat preserve) in the Cisco Site 6 EIR for impacts to the burrowing owl, the only one of the Habitat Plan's covered species documented on the 152 acre site. For these reasons, the project is not subject to the Habitat Plan.

4.4.3 Conclusion

The project would not remove any trees and not conflict with the City's tree protection ordinance.

The project will conduct pre-construction surveys to ensure no impacts occur to raptors (including northern harriers and burrowing owls) who could be nesting at the time construction commences on the northern portion (31 acres) of the site that has not received any fill.

The project would not conflict with the provisions of the adopted Habitat Conservation Plan in that the project is subject to a valid Development Agreement that predates the Habitat Plan, and the project has already mitigated for impacts to covered species that could have occupied the site.

The subject 57 acres, which has received fill and/or been disked, currently has no wetlands or populations of Congdon's Tarplant present, and the wetlands and Congdon's Tarplant that were present at the time the 2000 Cisco Site 6 EIR was prepared and the Planned Development Zoning was approved have been removed and mitigated by prior entitlements covering the site through establishment of a 21.7 acre habitat preserve.

Phase I of the project (which included a portion of the current development proposed in Planned Development Rezoning PDC14-004, and Permit PD14-007 and PD13-039 applications, respectively) has provided a 21.7 acre habitat preserve to offset the loss of owl habitat across the entire 152 acre site, although that impact remains significant and unavoidable, as disclosed in the 2000 Cisco Site 6 FEIR. **[Same Impact as Approved Project (Significant and Unavoidable Impact)]**

4.5 GREENHOUSE GAS EMISSIONS

The following discussion evaluates greenhouse gas (GHG) emissions resulting from implementation of the Envision San José 2040 General Plan, which accounts for emissions generated by the proposed project on the subject site.

4.5.1 Existing Setting

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of greenhouse gases (GHGs) that contribute to global warming or global climate change have a broader, global impact. Global warming is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere. The principal GHGs contributing to global warming are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. These gases allow visible and ultraviolet light from the sun to pass through the atmosphere, but they prevent heat from escaping back out into space.

Among the potential implications of global warming are rising sea levels, and adverse impacts to water supply, water quality, agriculture, forestry, and habitats. In addition, global warming may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect regional air quality and public health. Like most criteria and toxic air pollutants, much of the GHG production comes from motor vehicles. GHG emissions can be reduced to some degree by improved coordination of land use and transportation planning on the city, county, and subregional level, and other measures to reduce automobile use. Energy conservation measures also can contribute to reductions in GHG emissions.

4.5.1.2 *Regulatory Setting*

Federal

In recognition of the adverse effects of degraded air quality, Congress and the California Legislature enacted the Federal and California Clean Air Acts, respectively. The requirements of these acts are administered by the U.S. Environmental Protection Agency (EPA) at the federal level, the California Air Resources Board (CARB) at the state level, and the Bay Area Air Quality Management District (BAAQMD) at the regional level. There are as yet no adopted federal standards for GHG emissions.

State of California

AB 32, Scoping Plan, and CEQA

In September 2006, Governor Schwarzenegger signed the Global Warming Solutions Act (Assembly Bill (AB) 32), to address the global warming situation in California. The Act requires that the GHG emissions in California be reduced to 1990 levels by 2020. In June 2005, the Governor of California signed Executive Order S-3-05 which identified CalEPA as the lead coordinating State agency for establishing climate change emission reduction targets in California. Under Executive Order S-3-05, the state plans to reduce GHG emissions to 80 percent below 1990 levels by 2050. Additional state law related to the reduction of greenhouse gas emissions includes SB 375, the Sustainable Communities and Climate Protection Act (see discussion below).

In December 2008, the California Air Resources Board (CARB) approved the *Climate Change Scoping Plan*, which proposes a comprehensive set of actions designed to reduce California's dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 GHG reduction goal.

In Spring 2014, ARB will hold a Board Hearing to consider the Final Scoping Plan Update and Environmental Assessment. The 2014 update will define CARB's climate change priorities for the next five years and lay the groundwork to start the transition to the post-2020 goals set forth in Executive Orders S-3-05 and B-16-2012 (see below). The 2014 update will highlight California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the 2008 Scoping Plan and evaluate how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, agriculture, clean energy, and transportation and land use.³ Executive Order B-16-2012 established benchmarks for increased use of zero emission vehicles and zero emission vehicle infrastructures by 2020 and 2025.

As required under state law (Public Resources Code Section 21083.05), the California Natural Resources Agency has amended the state CEQA Guidelines to address the analysis and mitigation of greenhouse gas emissions. In these changes to the CEQA Guidelines, Lead Agencies such as the City of San José retain discretion to determine the significance of impacts from greenhouse gas emissions based upon individual circumstances. Neither CEQA nor the CEQA Guidelines provide a specific methodology for analysis of greenhouse gases and under the amendments to the CEQA Guidelines, a Lead Agency may describe, calculate, or estimate greenhouse gas emissions resulting from a project. Since the adoption of the Cisco Site 6 FEIR dates to 2000, GHG effects were not addressed. Therefore, this Addendum will rely upon the GHG analysis contained in the 2011 Envision San José 2040 General Plan FPEIR.

Senate Bill 375

Senate Bill 375 (SB 375), also known as the Sustainable Communities and Climate Protection Act of 2008, requires regional transportation plans to include a Sustainable Communities Strategy (SCS) that links transportation and land use planning together into a more comprehensive, integrated process. The SCS is a mechanism for more effectively linking a land use pattern and a transportation system together to make travel more efficient and communities more livable. The result is reduced greenhouse gas emissions from passenger vehicles along with other benefits.

In 2010, the California Air Resources Board (ARB) adopted greenhouse gas (GHG) reduction targets for regions across California, as mandated by SB 375. The target for the Bay Area is a seven percent per capita reduction in GHG emissions attributable to automobiles and light trucks by 2020 and a 15 percent per capita reduction by 2035. The four major requirements of SB 375 are:

1. Metropolitan Planning Organizations (MPOs) must meet GHG emission reduction targets for automobiles and light trucks through land use and transportation strategies.

³ California Air Resources Board. *AB 32 Scoping Plan*. Accessed January 7, 2014. Available at: <http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>

2. MPOs must create a Sustainable Communities Strategy (SCS), to provide an integrate land use/transportation plan for meeting regional targets, consistent with the Regional Transportation Plan (RTP).
3. Regional housing elements and transportation plans must be synchronized on eight-year schedules, with Regional Housing Needs Assessment (RHNA) allocation numbers conforming to the SCS.
4. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC).

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) has partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission (BCDC) to prepare the region's SCS as part of the RTP process.⁴ The SCS is referred to as *Plan Bay Area*.

MTC and ABAG adopted *Plan Bay Area* in July 2013. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions.

Regional

Bay Area Air Quality Management District (BAAQMD)

BAAQMD is the regional, government agency that regulates sources of air pollution within the nine San Francisco Bay Area Counties. Several key activities of BAAQMD related to greenhouse gas emissions are described below.

Regional Clean Air Plans: BAAQMD and other agencies prepare clean air plans as required under the State and Federal Clean Air Acts. The Bay Area 2010 Clean Air Plan (CAP) provides a comprehensive plan to improve Bay Area air quality and protect public health through implementation of a control strategy designed to reduce emissions and decrease ambient concentrations of harmful pollutants. The most recent CAP also includes measure designed to reduce GHG emissions.

BAAQMD CEQA Air Quality Guidelines: The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The Guidelines include information on legal requirements, BAAQMD rules, plans and procedures, methods of analyzing air quality impacts, thresholds of significance, mitigation measures, and background air quality information. In June 2010, the Air District's Board of Directors adopted their CEQA thresholds of significance and an update of their CEQA Guidelines. The updated CEQA Guidelines review and describe assessment methodologies, and mitigation strategies for criteria pollutants, air toxics, odors, and greenhouse gas emissions.

⁴ ABAG, BAAQMD, BCDC, and MTC. *One Bay Area Frequently Asked Questions*. Accessed July 23, 2013, Available at: http://onebayarea.org/about/faq.html#UQceKR2_DAK

City of San José

The Envision San José 2040 General Plan includes a range of policies and actions that are intended to reduce GHG emissions. It also provides for and commits the City to the implementation of an integrated Greenhouse Gas Reduction Strategy that contains overall performance criteria against which the City’s future actions can be evaluated. Implementation of the Greenhouse Gas Reduction Strategy is an ongoing adaptive management process, whereby opportunities to reduce GHG emissions will be evaluated and selected based on a variety of factors, including available technology, relative cost, and policy references, among others.

4.5.2 Environmental Checklist and Discussion of Impacts

GREENHOUSE GAS EMISSIONS						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3

The currently proposed project will result in a new Less than Significant Impact, as described below.

The GHG Reduction Strategy in the Envision San José 2040 General Plan FPEIR identifies a series of GHG emissions reduction measures to be implemented by development projects that would allow the City to achieve its GHG reduction goals. The measures center around five strategies: energy, waste, water, transportation, and carbon sequestration. Some measures would be considered mandatory for all proposed development projects, while others would be considered voluntary. Voluntary measures could be incorporated as mitigation measures for proposed projects, at the discretion of the City. Compliance with the mandatory measures and any voluntary measures required by the City would ensure an individual project’s consistency with the GHG Reduction Strategy. Projects that are consistent with the GHG Reduction Strategy would then be considered to have a less than significant impact related to GHG emissions. Below is a listing of the mandatory and voluntary criteria provided in the City’s GHG Reduction Strategy.

Mandatory Criteria

1. Consistency with the Land Use/Transportation Diagram (General Plan Goals/Policies IP-1, LU-10)
2. Implementation of Green Building Measures (GP Goals: MS-1, MS-2, MS-14)

- Solar Site Orientation
 - Site Design
 - Architectural Design
 - Construction Techniques
 - Consistency with City Green Building Ordinance and Policies
 - Consistency with GHGRS Policies: MS-1.1, MS-1.2, MC-2.3, MS-2.11, and MS-14.4)
3. Pedestrian/Bicycle Site Design Measures
 - Consistency with Zoning Ordinance
 - Consistency with GHGRS Policies: CD-2.1, CD-3.2, CD-3.3, Cd-3.4, CD-3.6, CD-3.8, CD-3.10, CD-5.1, LU-5.4, LU-5.5, LU-9.1, TR-2.8, TR-2.11, TR-2.18, TR-3.3, TR-6.7)
 4. Salvage building materials and architectural elements from historic structures to be demolished to allow re-use (General Plan Policy LU-16.4), if applicable;
 5. Complete an evaluation of operational energy efficiency and design measures for energy-intensive industries (e.g. data centers) (General Plan Policy MS-2.8), if applicable;
 6. Preparation and implementation of the Transportation Demand Management (TDM) Program at large employers (General Plan Policy TR-7.1), if applicable; and
 7. Limits on drive-through and vehicle serving uses; all new uses that serve the occupants of vehicles (e.g. drive-through windows, car washes, service stations) must not disrupt pedestrian flow. (General Plan Policy LU-3.6), if applicable.

The proposed project is consistent with mandatory criteria 1, 2, and 3. Specifically, the project is consistent with the site's existing land use designation for the Land Use/Transportation Diagram. The project also proposes to obtain LEED Silver certification, which will become a condition of PD Permit approval.

As discussed in *Section 3.0 Project Description*, the project provides short-term and long-term bicycle parking. Pedestrian access and connectivity would also be provided for each proposed office/R&D building. The proposed project would satisfy mandatory criterion 3.

The project will prepare and implement a TDM program, therefore, the proposed project is also consistent with mandatory criterion 6. Criteria 4, 5, and 7 are not applicable to the proposed project, because there are no historic structures on the site, the project is not an energy-intensive use and the site does not propose drive-through uses.

Voluntary Criteria

Table 4.5-1 provides a summary of the voluntary criteria and describes the proposed project's compliance with each criterion.

Table 4.5-1: Voluntary Greenhouse Gas Reduction Strategy Criteria		
Policies	Description of Project Measure	Project Conformance/ Applicability
BUILT ENVIRONMENT AND RECYCLING		
Installation of solar panels or other clean energy power generation sources on development sites, especially over parking areas MS-2.7, MS-15.3, MS-16.2	The project does not propose solar panels or other clean energy power generation sources on-site.	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Not Proposed or <input type="checkbox"/> Not Applicable
Use of Recycled Water Use recycled water wherever feasible and cost-effective (including non-residential uses outside of the Urban Service Area) MS-17.2, MS-19.4	A recycled water line is available to the project along North First Street and the project will connect to the line and use recycled water for landscape irrigation needs pursuant to Chapters 15.10 and 15.11 of the Muni Code. All irrigation systems shall be metered separately from the potable water supply system, shall have no on-site cross-connections to the potable water supply and shall meet all other legal requirements necessary to allow for recycled water use. The use of potable water to irrigate any outdoor landscaping plumbed for recycled water where recycled water is available to the property is prohibited.	<input checked="" type="checkbox"/> Required/ Proposed <input type="checkbox"/> Not Proposed or <input type="checkbox"/> Not Applicable
TRANSPORTATION AND LAND USE		
Car share programs Promote car share programs to minimize the need for parking spaces TR-8.5	A car share program is not currently available in Alviso and no spaces are proposed to be reserved in the parking areas for this use. Project anticipates that 5% of parking spaces shall be labeled for use by carpools or vanpools.	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Not Proposed or <input type="checkbox"/> Not Applicable
Limit parking above code requirements	The project provides a minimum of 2.0 parking spaces per 1,000 sq.ft. of industrial/manufacturing space and 3.3 spaces per 1,000 sq.ft. of office/R&D	<input checked="" type="checkbox"/> Project is Parked at or below Code Requirements

Table 4.5-1: Voluntary Greenhouse Gas Reduction Strategy Criteria		
Policies	Description of Project Measure	Project Conformance/ Applicability
TR-8.4	space. The project provides 1,373 parking stalls in support of the 415,000 sq.ft. of office use, and 1,141 parking stalls in support of the 563,760 sq.ft. of industrial/manufacturing use. Per Table 20-190 of the Municipal Code, offices, research and development are to be parked at a minimum of one space per 300 sq.ft., or 3.3 spaces per thousand sq.ft., while manufacturing is to be parked at one space per 350 sq.ft., or 2.85 spaces per thousand sq.ft.	<input type="checkbox"/> Project is Parked above Code Requirements or <input type="checkbox"/> Not Applicable
Consider opportunities for reducing parking spaces (including measures such as shared parking, TDM, and parking pricing to reduce demand) TR-8.12	A TDM plan will be prepared and implemented.	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Project Does Not Propose or <input type="checkbox"/> Not Applicable

The proposed project is consistent with all of the mandatory criteria that are applicable to the project. The project will implement several of the voluntary criteria included in the Greenhouse Gas Reduction Strategy including a) connecting to the recycled water line and use recycled water for landscape irrigation needs, and 2) providing a TDM program and 3) providing parking at or below Code requirements. The project also provides clean air vehicle parking in accordance with the Zoning Code. For non-residential uses such as this, designated parking for any combination of low emitting, fuel efficient, and carpool or van pool vehicles is required at a rate of 8% of the total parking required.

4.5.3 Conclusion

The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project is consistent with the City’s GHG Reduction Strategy by incorporating the mandatory measures and several voluntary measures identified in the GHG Reduction Strategy. Projects that are consistent with the GHG Reduction Strategy would then be considered to have a less than significant impact related to GHG emissions. Therefore, the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than significant impact)**

4.6 HAZARDS AND HAZARDOUS MATERIALS

The 2000 Cisco Site 6 EIR (pgs.91-92, 95) documented that former uses of the 152 acre site had led to placement of contaminated fill material on the site. Due to the age of the information in the EIR and the passage of time, an updated Phase I Environmental Site Assessment has been prepared by *Haley & Aldrich, Inc.*, March 2013, included as Appendix D. Additionally, a Soil Management Plan has been prepared for the site, and is included as Appendix E.

4.6.1 Setting

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include pesticides, herbicides, petroleum products, metals, (e.g., lead, mercury, arsenic), asbestos, and chemical compounds used in manufacturing. Determining if such substances are present on or near project sites is important because, by definition, exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

Due to the fact that these substances have properties that are toxic to humans and/or the ecosystem, there are multiple regulatory programs in place that are designed to minimize the chance for unintended releases and/or exposures to occur. Other programs set remediation requirements at sites where contamination has occurred.

4.6.1.1 *Site History*

Based on a review of aerial photographs, the subject site appears to have been used for agricultural purposes since at least as early as 1939. In the 1956, 1965, 1972, and 1982 aerial photographs, the majority of the subject site appears to be occupied by agriculture with the exception of the northwestern corner of the subject property. Portions of a four-city-block neighborhood are developed in the northwestern corner of the subject site, along with a parcel formerly used for car maintenance activities. Additionally, what appears to be disturbed soil is located to the east of the residential structures. In the reviewed 1993 and 1999 aerial photographs, the residential structures and farm structures are no longer depicted in the northwestern and southwestern corners, respectively, of the subject site. In the 2005 and 2006 aerial photographs the subject site is depicted as agricultural land.

Substantial fill has already been imported to the southern portion (26 acres) of the subject 57 acre site based on issuance of a grading permit issued in 2013. This fill was screened prior to its placement on the site to confirm it is acceptable for use on the site and does not contain hazardous materials.

4.6.1.2 *On-Site Soil and Ground Water Quality*

The site is listed in the regulatory agency database report as being adjacent to the South Bay Asbestos Area (SBAA), located in Alviso. The 550-acre SBAA site, which appears to encompass the western portion of the subject site, is located on the southern edge of the San Francisco Bay and formerly served as an asbestos dumping area for 30 years, from the early 1950s to the early 1980s. During the 1950s, several landfills in the Alviso area accepted wastes from an asbestos cement pipe manufacturing facility. Several areas within the community of Alviso were reportedly filled with asbestos-containing soils to improve flood protection. In the past, elevated

asbestos concentrations have been found in the Guadalupe River levees, the Alviso ring levee, in surface soils around the town of Alviso, and in shallow ground water.

In 1986, the ring levee was officially placed on the National Priorities List and in September 1988, the ring levee was capped in place with a vegetated soil cover. Subsequent removal of the entire Ring Levee; and replacement of the levee with clean soil, occurred in December 1993. The City of San Jose and the USEPA engaged in additional remedial activities at the SBAA site which included: wetlands restoration, paving of nearby areas, wet sweeping Alviso streets monthly due to air containing elevated levels of asbestos fibers, removing asbestos debris, installing landfill covers, implementing deed restrictions, and maintaining and monitoring the site. An ambient air study for asbestos was conducted in 1994 to assess the effectiveness of these cleanup efforts and the results of the study showed that there was no significant adverse health threat to the residents of Alviso due to asbestos fibers in the air. All remedial activities were completed by 1997 and wet sweeping continues on a monthly basis.

The Phase I ESA completed in March 2013 for the 57 acre property concluded the South Bay Asbestos Area extends on to the western portion of the site and therefore asbestos is a contaminant of concern at the site, and represents a “recognized environmental condition” (REC) that could affect development of the property. Based on the most recent previous onsite Phase II environmental assessment in September 1998, asbestos was not detected above the laboratory detection limit of one percent. The 1998 Phase II authors concluded that the lone sample reported as containing asbestos in the March 1998 investigation was an anomaly; asbestos did not appear to be a significant concern. However, it continues to be the current Phase I preparer’s opinion that this NPL listing represents a REC in association with the subject site.

The northwest corner of the subject site was formerly used for car maintenance activities. Review of historical records indicated soil significantly impacted by oil from car maintenance activities was observed onsite. A subsurface investigation conducted in 1990 in the former car maintenance area detected oil and grease at a maximum concentration of 1,525 parts per million. The onsite soils in the former car maintenance areas have since been excavated and replaced with fill.

The subject property has historically been used for agricultural purposes since at least 1939. Historical agricultural operations typically would have included the use of agricultural chemicals (e.g., pesticides, herbicides, fertilizers). Although residual concentrations of these compounds may remain in the property, experience with similar sites in the general vicinity indicates that any residual pesticides/herbicides are likely not present in concentrations sufficient to pose an increased risk to human health or the environment during normal property use. Based on review of previous environmental reports, soil sampling conducted at various times and locations across the subject property demonstrated total dichlorodiphenyltrichloroethane (DDT) at background or low concentrations. Total DDT concentrations were found to be below its residential Preliminary Remediation Goal (PRG) level of 1.7 ppm. Note the DDT Environmental Screening Level (ESL) for shallow soils where groundwater is not a potential source of drinking water is 4 ppm. Shallow groundwater exists beneath the site at depths ranging from approximately seven to 12 feet. Ground water beneath the site likely flows northwest toward San Francisco Bay.

4.6.1.3 Off-Site Sources of Contamination

The 2000 Cisco Site 6 FEIR found the project site would not be significantly affected by off-site sources of contamination. The EIR found persons at the site could be exposed to unsafe levels of airborne chlorine or sulfur dioxide in the unlikely event of an accident involving and damaging a rail car transporting those materials to the San Jose-Santa Clara Regional Wastewater Facility on Los Esteros Road, however, the Treatment Facility’s risk management prevention plan would minimize the risk and this was found to not be a significant impact. The use and storage of chlorine at the Treatment Facility has been decommissioned and removed, and no longer poses a risk to human health and the environment.

No off-site spill incidents were reported in the 2013 database search that appear likely to significantly impact soil or ground water beneath the site. The potential for impact is based on the types of incidents, the location of the incidents in relation to the site, and the assumed ground water flow direction.

4.6.2 Environmental Checklist and Discussion of Impacts

HAZARDS AND HAZARDOUS MATERIALS						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,8
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,8
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,8

HAZARDS AND HAZARDOUS MATERIALS						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3
6) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3
8) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-3

The currently proposed project will result in the same impact as the approved project, i.e. Less than Significant with Mitigation Incorporated, as described below.

The site, within a developed area of San José, is also not located within an area subject to wildfires. The project, consisting of four office buildings and three manufacturing buildings, would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Should the developer or another user of the site propose in the future to use hazardous materials at the proposed facility, subsequent CEQA review would be required.

The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The site is not on a City designated evacuation route.

4.6.2.1 *On-Site Sources of Contamination*

On-site Soils

No hazardous materials usage was observed during the January 2013 site visit by the preparers of the Phase I Environmental Site Assessment. No evidence of past spills or leaks was observed. It is the

current Phase I preparer’s opinion that the South Bay Asbestos Area NPL listing represents a recognized environmental condition (REC) in association with the subject site that could impact site development. The presence of the South Bay Asbestos Area was identified in the 2000 Cisco Site 6 FEIR.

Impact HAZ – 1: Future ground disturbing activities over the western portion of the site could encounter and release into the environment contaminants potentially present on the project site, including asbestos.

MM HAZ – 1.1: The protocols for handling and capping the contaminated material will be established in a Soil Management Plan (SMP). The SMP will require handling of impacted soil, if encountered, by a licensed hazardous waste contractor with 40 hours of OSHA training. The project developer shall notify and prepare the SMP to the satisfaction of the DTSC. In addition, the SMP shall provide detailed information on means of dust and erosion control to minimize the generation of dust and erosion associated with grading activities, truck and vehicle traffic onto and off the site, and the effects of ambient wind traversing exposed soil.

MM HAZ -1.2: Soils which have been impacted by hazardous materials contamination shall be capped with the proposed buildings or asphalt concrete drives and parking area. Land dedicated for public right-of-way shall be free of any contaminated fill or waste material. A health and safety plan shall be prepared that documents appropriate protocol for construction personnel working in soil containing elevated concentrations of asbestos. Soil containing elevated concentrations of contaminants shall be maintained on site. If soil is to be removed from the site, it must be disposed at an appropriate disposal facility.

[Same Impact as Approved Project (Less than Significant with Mitigation Incorporated)]

Given that soil grading activity has already occurred on the southern portion of the site, a Soil Management Plan (SMP) has already been prepared and utilized to provide technical and operational guidelines for all intrusive work associated with the redevelopment activities. The SMP, dated June 17, 2013 (see Appendix E) specifically addresses the discovery of any potentially impacted soil issues found to be present during earthwork, landscape, and subsurface utility maintenance activities. The SMP documents policies and procedures for the project development which includes air monitoring, a contingency plan and reporting.

It was further concluded that because the site is planned to be largely capped by the buildings and associated asphaltic concrete drives and parking areas, risk to human health and the environment from any residual pesticides that may be present will be significantly reduced. Based on available information reviewed, the potential presence of residual agricultural chemicals in soil or groundwater at the subject property does not represent a REC in association with the subject site, and no significant impact is expected. **[Same Impact as Approved Project (Less than Significant Impact)]**

Ground Water Quality

No significant impacts to ground water have been identified for the site. Site construction involves minimal excavation that would not encounter groundwater estimated at between seven to 12 feet below ground level. [**Same Impact as Approved Project (Less than Significant Impact)**]

4.6.2.2 *Possible Off-Site Sources of Impact*

Based on the Phase I Environmental Site Assessment, no off-site contamination currently affects the project site. No hazardous materials incidents on sites within the project vicinity would be likely to significantly impact the project site. (**Less than Significant Impact**)

4.6.3 Conclusion

The project operations would not include the use or storage of hazardous materials or toxic gases, and therefore the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Risk to human health and the environment from any residual pesticides that may be present will be significantly reduced because the site is planned to be largely capped by the buildings and associated asphaltic concrete drives and parking areas.

The project will not be exposed to significant impacts from off-site sources of contamination. The proposed office buildings would not result in a safety hazard related to aircraft operations. The site is not at risk from wildfires. The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. [**Same Impact as Approved Project (Less than Significant Impact)**]

Future ground disturbing activities over the western portion of the site could encounter and release into the environment contaminants potentially present on the project site, including asbestos.

The protocols for handling and capping the contaminated material will be established in a Soil Management Plan (SMP). The SMP will require handling of impacted soil, if encountered, by a licensed hazardous waste contractor with 40 hours of OSHA training. The project developer shall prepare the SMP to the satisfaction of the DTSC. In addition, the SMP shall provide detailed information on means of dust and erosion control to minimize the generation of dust and erosion associated with grading activities, truck and vehicle traffic onto and off the site, and the effects of ambient wind traversing exposed soil.

Soils which have been impacted by hazardous materials contamination shall be capped with the proposed buildings or asphalt concrete drives and parking area. Land dedicated for public right-of-way shall be free of any contaminated fill or waste material. A health and safety plan shall be prepared that documents appropriate protocol for construction personnel working in soil containing elevated concentrations of asbestos. Soil containing elevated concentrations of contaminants shall be maintained on site. If soil is to be removed from the site, it must be disposed at an appropriate

disposal facility. [**Same Impact as Approved Project (Less than Significant with Mitigation Incorporated)**]

4.7 HYDROLOGY AND WATER QUALITY

The 2000 Cisco Site 6 EIR (pg.46) identifies that the project would require additions to the existing storm drain collection system, and provides that a detailed hydraulic analysis would be completed at the time of development to evaluate the capacity of the storm drainage system, identify any necessary improvements, and conduct appropriate CEQA review for those improvements. *Schaaf & Wheeler* has prepared this technical analysis including development of a hydrologic and hydraulic model for the area to evaluate the 10-year and 100-year storms with and without the proposed development. This analysis, completed in March 2014, is contained in Appendix F.

4.7.1 Setting

The existing drainage and regulatory requirements regarding hydrology and water quality are generally unchanged from the certified 2000 Cisco Site 6 FEIR and the 2011 Envision San José 2040 General Plan FPEIR. The primary changes are the update of the North San José Floodplain Management Study reflecting the completion of flood control projects for Coyote Creek and Lower Guadalupe River, the City's update of its *Post-Construction Urban Runoff Management* (Policy 6-29), and the City's adoption of the *Post-Construction Hydromodification Management* (Policy 8-14).

The entire project site is relatively flat and generally slopes toward the north where a culvert under Disk Drive directs water into the New Chicago Marsh. In its existing configuration, the Midpoint site has almost no impervious surface. Runoff from the Midpoint Site currently flows to the New Chicago Marsh and then to San Francisco Bay, which is regulated by the San Francisco Bay Regional Water Quality Control Board (SFRWQCB) as administered by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCUVRPPP). Therefore, the project must follow SCUVRPPP standards detailed in the C.3 Stormwater Handbook.⁵ Construction site controls need to be designed per the Bay Area Stormwater Management Agencies Association (BASMAA) Blueprint for a Clean Bay and California Stormwater Quality Association Best Management Practices (CASQA BMP) Handbook. In its existing configuration, under 10-year storm events site runoff ponds in Disk Drive, and under the 100-year storm event 25 cubic feet per second (CFS) of site runoff drains to the New Chicago Marsh via the existing culvert.

The site is protected from San Francisco Bay tidal flooding by a series of non-accredited levees to the north. This non-accreditation means that for the purpose of meeting requirements set forth by the NFIP, those protective levees are assumed to be non-functional. The site is also protected from Guadalupe River floodwaters by a levee system. This system is, however, accredited and meets the requirements of the National Flood Insurance Program (NFIP), so the site is protected from Guadalupe River flooding.

4.7.1.1 *Regulatory Requirements*

City of San José Floodplain Ordinance

The City's Floodplain Ordinance establishes minimum elevations for finished building floors based on base flood elevations (BFEs) established for the NFIP, and generally prohibits any improvements

⁵ *C.3 Stormwater Handbook*. Santa Clara Valley Urban Runoff Pollution Prevention Program (SCUVRPPP). May 2006.

that will cause a cumulative rise of more than one foot to the base flood elevation at any point in San Jose.

City of San José Post-Construction Urban Runoff Management (Policy 6-29)

The City of San José's Policy No. 6-29 requires all new and redevelopment projects to implement Post-Construction Best Management Practices (BMPs) and Treatment Control Measures (TCMs) to the maximum extent practicable. This Policy establishes specific design standards for Post-Construction TCMs for projects that create, add, or replace 10,000 square feet or more of impervious surfaces. Policy 6-29 also applies to Special Land Use Category projects (e.g. uncovered parking areas) that create, add, or replace 5,000 square feet or more of impervious surfaces.

Post-Construction Best Management Practices (BMPs) are methods, activities, maintenance procedures, or other management practices designed to reduce the amount of stormwater pollutant loading from a site. Examples of Post-Construction BMPs include proper materials storage and housekeeping activities, public and employee education programs, and storm inlet maintenance and stenciling.

Post-Construction Treatment Control Measures are permanent stormwater management devices installed and maintained as part of a new development or redevelopment project to reduce stormwater pollution loading from the site; is installed as part of a new development or redevelopment project; and is maintained in place after construction has been completed. Examples include filtration and infiltration devices (e.g., bioretention areas, flow-through planters, and vegetated swales) or detention/retention measures (e.g., detention/retention ponds). Post-Construction TCMs are a category of BMPs.

City of San José Post-Construction Hydromodification Management (Policy 8-14)

In 2005, the City of San José adopted the Post-Construction Hydromodification Management (Policy 8-14) to manage development related increases in peak runoff flow, volume and duration, where such hydromodification is likely to cause increased erosion, silt pollution generation, or other impacts to local rivers, streams, and creeks.

Hydromodification occurs when the total area of impervious surfaces increases resulting in the decrease of rainfall infiltration, which causes more water to run off the surface as overland flow at a faster rate. Storms that previously did not produce substantial runoff from a property under previous conditions can produce erosive flows in creeks. The increase in the volume of runoff and the length of time that erosive flows occur intensifies sediment transport, increasing creek scouring and erosion and causing changes in stream shape and conditions, which can, in turn, impair the beneficial uses of the stream channels.

Policy 8-14 requires stormwater discharges from new and redevelopment projects that create or replace one acre (43,560 square feet) or more of impervious surfaces to be designed and built to control project-related hydromodification. The Policy establishes specified performance criteria for Post-Construction Hydromodification control measures (HCMs) and identifies projects which are exempt from HCM requirements. Policy 8-14 hydromodification requirements are not applicable to

the proposed project because stormwater in the area drains into tidally-influenced channels which are exempt from Policy 8-14.

4.7.2 Environmental Checklist and Discussion of Impacts

HYDROLOGY AND WATER QUALITY						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
1) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
2) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
4) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
6) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9

HYDROLOGY AND WATER QUALITY						
	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	Information Source(s)
Would the project:						
7) Place housing or structures 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
9) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9
10) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,9

The currently proposed project will result in the same impact as the approved project, i.e. Less than Significant with Mitigation Incorporated, as described below.

4.7.2.1 Water Quality

Construction-Related Impacts

Construction of the proposed project, as well as grading, and excavation activities, may result in temporary impacts to surface water quality. Construction of the proposed project would result in a disturbance to the underlying soils, thereby increasing the potential for sedimentation and erosion. When disturbance to underlying soils occurs, the surface runoff that flows across the site may contain sediments that are discharged into the storm drain system and ultimately the San Francisco Bay. Pollutants other than sediment which might typically degrade surface-water quality during project construction include petroleum products (gasoline, diesel, kerosene, oil, and grease), hydrocarbons from asphalt paving, paints, and solvents, detergents, nutrients (fertilizers), pesticides (insecticides, fungicides, herbicides, rodenticides), and litter.

Impact HYD – 1: Construction of the proposed project, as well as grading, and excavation activities, may result in temporary impacts to surface water quality. **(Significant Impact)**

MM HYD – 1: Potential construction-phase pollutant impacts from the development of the site will be controlled below the level of significance through preparation and implementation of an erosion control plan and a storm water pollution prevention plan (SWPPP) consistent with recommended design criteria, in

accordance with the National Pollution Discharge Elimination System (NPDES) permitting requirements enforced by the Regional Board. A Notice of Intent (NOI) will also be submitted to the State Water Resources Control Board (SWRCB) in accordance with the NDPES permit.

The SWPPP shall prescribe construction-phase BMPs to adequately contain sediment on-site and prevent construction activities from degrading surface runoff. The erosion control plan in the SWPPP would include components for erosion control, such as phasing of grading, limiting areas of disturbance, designation of restricted-entry zones, diversion of runoff away from disturbed areas, protective measures for sensitive areas, outlet protection, and provision for re-vegetation or mulching. The plan would also prescribe treatment measures to trap sediment once it has been mobilized, at a scale and density appropriate to the size and slope of the catchment. These measures typically include inlet protection, straw bale barriers, straw mulching, straw wattles, silt fencing, check dams, terracing, and siltation or sediment ponds.

The erosion control plan forms a significant portion of the construction-phase controls required in a SWPPP, which also details the construction-phase housekeeping measures for control of contaminants other than sediment.
(Less than Significant Impact with Mitigation)

Post-Construction Impacts

The existing and proposed areas of pervious and impervious surfaces are shown in the Stormwater Control Plan, Figures 4.7-1a-b. Due to the substantial increase in impervious area from development, the proposed project could adversely impact water quality. After a project has been constructed and the landscaping has been installed, erosion and sedimentation from commercial/office development sites are usually minimal. Pollutants and chemicals associated with urban development drain from new impervious surfaces into the Guadalupe River and ultimately to San Francisco Bay. These pollutants may include, but are not limited to, pesticides and insecticides, heavy metals from automobile emissions, oil, grease, debris, and air pollution residue. Contaminated urban runoff that remains relatively untreated may result in incremental long-term degradation of water quality. The Guadalupe River, which is immediately adjacent to the site, is listed as an impaired water body by the EPA 303(d) for trash and diazinon, a pesticide linked to aquatic toxicity. Potential sources for these pollutants include urban runoff and storm sewers.

LEGEND PROPOSED CONDITIONS

- TRIBUTARY AREA LIMITS
- IMPERVIOUS PAVEMENT DRAINING TO BIO-RETENTION AREA
- IMPERVIOUS ROOFTOP DRAINING TO BIO-RETENTION AREA
- LANDSCAPE AREA
- BIO-RETENTION TREATMENT AREA
- SELF-TREATING LANDSCAPE AREA
- UNTREATED AREA
- EVERGREEN CREDIT TREES (SEE LANDSCAPE PLANS)

KEYNOTES

- 1 STORM WATER DISCHARGES INTO BIO-RETENTION AREAS VIA CURB OPENING PER DETAIL 1 ON SHEET 08
- 2 OFF-SITE DRAINAGE AREA

TREE CREDIT

UNTREATED IMPERVIOUS AREA (DRIVEWAY ENTRY)	
DRAINAGE NUMBER	AREA (sf)
27	1,580
28	697
29	1,593
TOTAL	3,870

INSTALL 20 EVERGREEN TREES (20x200=4000 S.F.) TO RECEIVE CREDIT FOR 3,870 S.F. OF UNTREATED IMPERVIOUS AREA

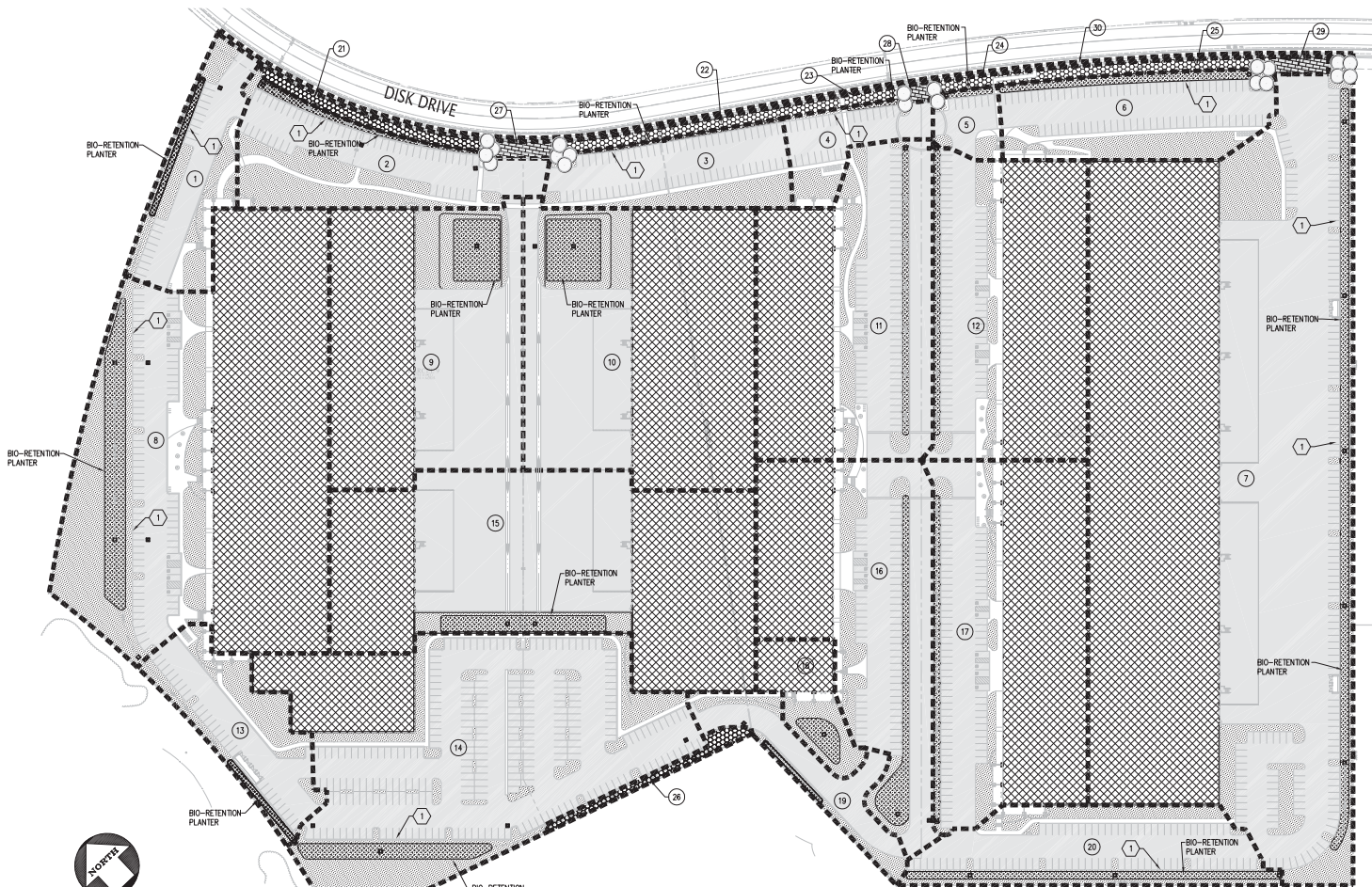
TREATMENT CONTROL SUMMARY TABLE

Area No.	Area (sf)	Area (A2)	Landscap (A2)	Landscap (A2)	Imperv (SF)	Imperv (SF)	Treated Area Required (SF)	Treatment Provided (SF)	String Ratio(%)	Credit Area	Tree Credits	Treatment Type
1	28,611	0.68	11,679	0.28	16,538	0.40	961	1,222	8.00%	-	-	Bio-Retention Planter
2	45,140	0.95	17,558	0.43	25,222	0.53	929	2,481	16.60%	-	-	Bio-Retention Planter
3	28,602	0.67	8,642	0.18	18,960	0.45	798	1,147	5.75%	-	-	Bio-Retention Planter
4	14,872	0.35	3,263	0.07	11,209	0.25	449	456	4.00%	-	-	Bio-Retention Planter
5	7,371	0.19	2,159	0.04	5,262	0.12	210	679	12.50%	-	-	Bio-Retention Planter
6	37,276	0.85	12,689	0.29	24,587	0.54	989	3,740	15.21%	-	-	Bio-Retention Planter
7	399,962	7.10	38,756	0.84	273,156	6.27	33,927	19,821	3.96%	-	-	Bio-Retention Planter
8	184,164	3.70	9,338	0.24	154,888	3.55	6,156	9,980	6.39%	-	-	Bio-Retention Planter
9	47,616	1.01	12,349	0.26	25,247	0.57	3,030	4,792	6.75%	-	-	Bio-Retention Planter
10	105,818	2.42	12,404	0.28	93,514	2.14	3,741	5,922	5.98%	-	-	Bio-Retention Planter
11	94,677	1.90	11,210	0.26	72,767	1.67	2,911	3,293	4.61%	-	-	Bio-Retention Planter
12	78,174	1.76	4,460	0.10	69,699	1.50	3,788	3,353	4.31%	-	-	Bio-Retention Planter
13	28,578	0.65	11,671	0.28	16,907	0.38	676	951	5.62%	-	-	Bio-Retention Planter
14	123,429	2.61	31,014	0.76	203,841	4.57	4,079	4,794	4.71%	-	-	Bio-Retention Planter
15	123,704	2.60	7,518	0.17	116,186	2.67	4,647	4,398	3.79%	-	-	Bio-Retention Planter
16	78,388	1.79	14,079	0.32	64,306	1.47	2,272	5,071	8.65%	-	-	Bio-Retention Planter
17	91,099	2.01	9,759	0.24	81,627	1.87	3,279	3,706	4.64%	-	-	Bio-Retention Planter
18	14,933	0.32	8,327	0.18	7,726	0.17	309	1,949	25.93%	-	-	Bio-Retention Planter
19	17,519	0.41	4,768	0.10	11,138	0.26	525	507	4.06%	-	-	Bio-Retention Planter
20	41,850	0.91	15,922	0.36	25,928	0.59	1,037	4,837	18.66%	-	-	Bio-Retention Planter
21	4,825	0.11	4,825	0.11	-	-	-	-	-	-	-	SELF-TREATING LANDSCAPE AREA
22	3,809	0.10	3,809	0.10	-	-	-	-	-	-	-	SELF-TREATING LANDSCAPE AREA
23	1,259	0.029	1,259	0.029	-	-	-	-	-	-	-	SELF-TREATING LANDSCAPE AREA
24	1,567	0.035	1,567	0.035	-	-	-	-	-	-	-	SELF-TREATING LANDSCAPE AREA
25	4,481	0.114	4,481	0.114	-	-	-	-	-	-	-	SELF-TREATING LANDSCAPE AREA
26	3,431	0.079	3,431	0.079	-	-	-	-	-	-	-	SELF-TREATING LANDSCAPE AREA
27	1,580	0.036	-	-	1,580	0.036	-	-	-	1,580	8	TREE CREDIT *
28	697	0.016	-	-	697	0.016	-	-	-	697	4	TREE CREDIT *
29	1,593	0.037	-	-	1,593	0.037	-	-	-	1,593	8	TREE CREDIT *
30	7,519	0.172	-	-	7,519	0.172	-	-	-	-	-	EMERALD **
TOTAL	1,548,200	35.571	269,946	6.203	1,278,254	29.368	6,203	50,715	-	-	-	-

** SEE TABLE 2 - TREE CREDIT FOR TREE CREDIT SUMMARY
 ** NEW PUBLIC SIDEWALKS ARE EXCLUDED FROM PROVISIONS OF C.3 REQUIREMENTS PER TABLE 2-2 CHAPTER 2.3 MUNICIPAL STORMWATER REQUIREMENTS OF THE C.3 STORMWATER HANDBOOK

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
	Project Phase Number (N/A, 1, 2, 3, etc.)		N/A
	Total Site Area: 35.57 Acres (1,549,200 sf)	Total Area of Site Disturbed: 35.57 Acres (1,549,200 sf)	
	Existing Condition of Site Area Disturbed (Square Feet)	Proposed Condition of Site Area Disturbed (Square Feet)	
		Replaced	New
Impervious Surfaces			
Roof Areas)	N/A	N/A	563,160
Parking	N/A	N/A	607,877
Sidewalks, Patios, Paths, Etc	N/A	N/A	100,707
Streets (public) Sidewalk	7,433	N/A	7,510
Streets (private)	N/A	N/A	N/A
Total Impervious Surfaces:	7,433	N/A	1,279,254
Pervious Surfaces			
Landscaped Areas	1,537,489	269,946	N/A
Pervious Paving	N/A	N/A	N/A
Other Pervious Surfaces (green roof, etc)	N/A	N/A	N/A
Total Pervious Surfaces:	1,537,489	269,946	N/A
Total Proposed Replaced + New Impervious Surfaces:			1,279,254
Total Proposed Replaced + New Pervious Surfaces:			269,946

BIO-RETENTION PLANTER CALCULATIONS



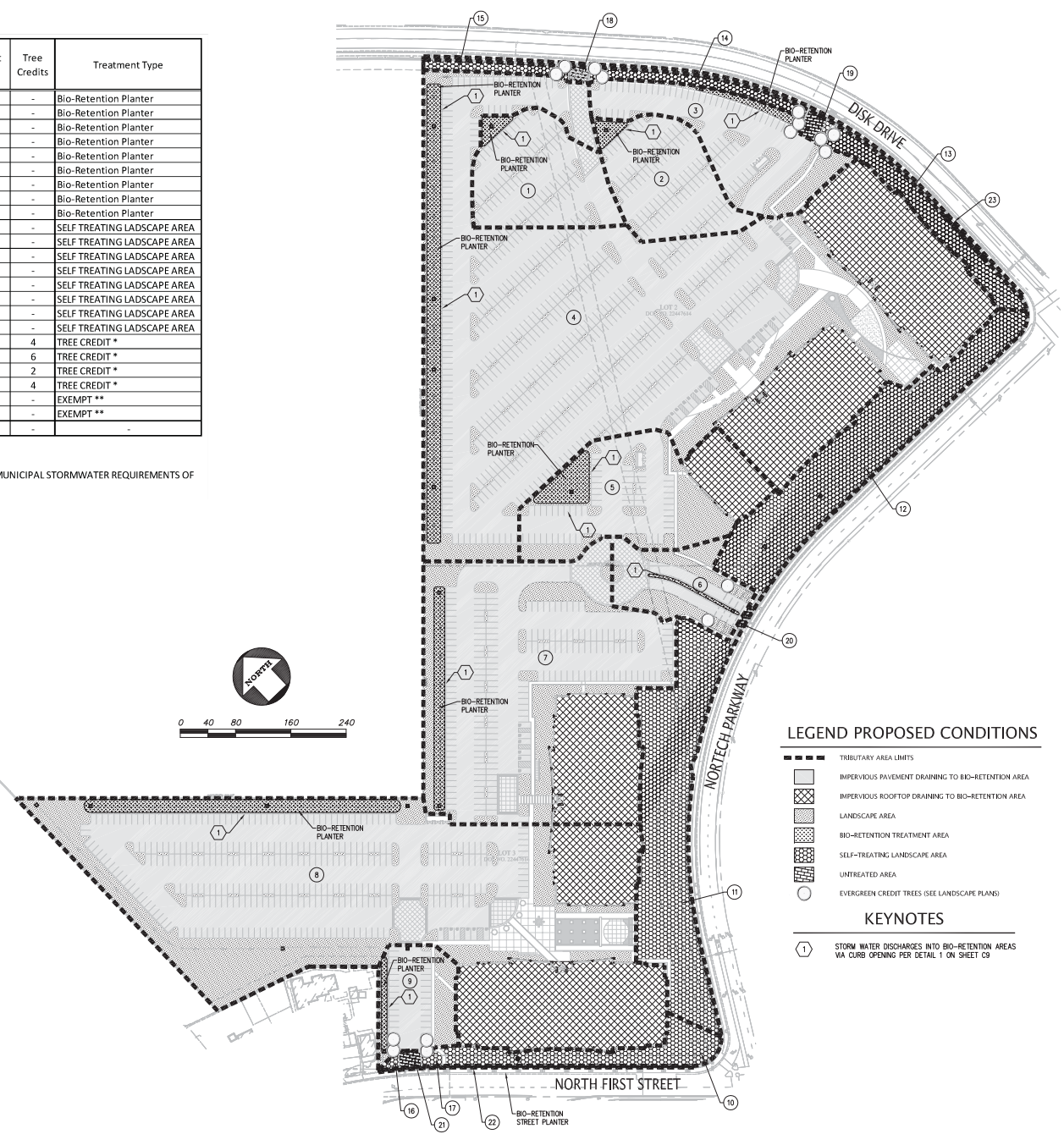
TREATMENT CONTROL SUMMARY TABLE

Area No.	Area (SF)	Area (AC)	Landscape (SF)	Landscape (AC)	Imperv. (SF)	Imperv. (AC)	Treated Area Required (SF)	Treatment Provided (SF)	Sizing Ratio (%)	Credit Area	Tree Credits	Treatment Type
1	29,298	0.673	3,083	0.071	26,216	0.602	1,049	1,062	4.05%	-	-	Bio-Retention Planter
2	27,455	0.630	2,952	0.068	24,503	0.563	980	1,088	4.44%	-	-	Bio-Retention Planter
3	34,442	0.791	10,513	0.241	23,929	0.549	957	1,516	6.34%	-	-	Bio-Retention Planter
4	350,728	8.052	50,028	1.148	300,700	6.903	12,028	13,282	4.42%	-	-	Bio-Retention Planter
5	77,878	1.788	9,735	0.223	68,143	1.564	2,726	4,099	6.01%	-	-	Bio-Retention Planter
6	18,548	0.426	8,466	0.194	10,082	0.231	403	605	6.01%	-	-	Bio-Retention Planter
7	121,266	2.784	26,937	0.618	94,329	2.165	3,773	4,837	5.13%	-	-	Bio-Retention Planter
8	219,606	5.041	53,673	1.232	165,932	3.809	6,637	8,558	5.16%	-	-	Bio-Retention Planter
9	16,850	0.387	6,401	0.147	10,449	0.240	418	1,106	10.59%	-	-	Bio-Retention Planter
10	11,078	0.254	11,078	0.254	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
11	45,693	1.049	45,693	1.049	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
12	38,181	0.877	38,181	0.877	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
13	11,290	0.259	11,290	0.259	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
14	4,873	0.112	4,873	0.112	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
15	5,307	0.122	5,307	0.122	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
16	689	0.016	689	0.016	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
17	638	0.015	638	0.015	-	-	-	-	-	-	-	SELF TREATING LANDSCAPE AREA
18	700	0.016	-	-	700	0.016	-	-	-	700	4	TREE CREDIT *
19	1,100	0.025	-	-	1,100	0.025	-	-	-	1,100	6	TREE CREDIT *
20	370	0.008	-	-	370	0.008	-	-	-	370	2	TREE CREDIT *
21	755	0.017	-	-	755	0.017	-	-	-	755	4	TREE CREDIT *
22	1,142	0.026	-	-	1,142	0.026	-	-	-	-	-	EXEMPT **
23	4,898	0.112	-	-	4,898	0.112	-	-	-	-	-	EXEMPT **
TOTAL	1,022,783	23.480	289,536	6.647	733,247	16.833	-	-	-	-	-	-

* SEE TABLE 2-TREE CREDIT FOR TREE CREDIT SUMMARY
 ** NEW PUBLIC SIDEWALKS ARE EXCLUDED FROM PROVISIONS OF C.3 REQUIREMENTS PER TABLE 2-2 OF CHAPTER 2.3 "MUNICIPAL STORMWATER REQUIREMENTS OF THE C.3 STORMWATER HANDBOOK"

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
Total Site Area:	Project Phase Number (N/A, 1, 2, 3, etc.)		N/A
	23.48 Acres (1,022,783 sf)	Total Area of Site Disturbed:	23.48 Acres (1,022,783 sf)
Impervious Surfaces	Existing Condition of Site Area Disturbed (Square Feet)	Proposed Condition of Site Area Disturbed (Square Feet)	
		Replaced	New
Roof Area(s)	N/A	N/A	153,349
Parking	N/A	N/A	447,250
Sidewalks, Patios, Paths, Etc	N/A	N/A	126,608
Streets (public) Sidewalk	8,289	N/A	6,040
Streets (private)	N/A	N/A	N/A
Total Impervious Surfaces:	8,289	N/A	733,247
Pervious Surfaces			
Landscaped Areas	938,159	289,536	N/A
Pervious Paving	N/A	N/A	N/A
Other Pervious Surfaces (green roof, etc.)	N/A	N/A	N/A
Total Pervious Surfaces:	938,159	289,536	N/A
Total Proposed Replaced + New Impervious Surfaces:			733,247
Total Proposed Replaced + New Pervious Surfaces:			289,536

BIO-RETENTION PLANTER CALCULATIONS



LEGEND PROPOSED CONDITIONS

- TRIBUTARY AREA LIMITS
 - [Hatched Pattern] IMPERVIOUS ROOFTOP DRAINING TO BIO-RETENTION AREA
 - [Cross-hatched Pattern] LANDSCAPE AREA
 - [Diagonal Hatched Pattern] BIO-RETENTION TREATMENT AREA
 - [Dotted Pattern] SELF-TREATING LANDSCAPE AREA
 - [White Box] UNTREATED AREA
 - [Circle with Tree] EVERGREEN CREDIT TREES (SEE LANDSCAPE PLANS)
- KEYNOTES
- ① STORM WATER DISCHARGES INTO BIO-RETENTION AREAS VIA CURB OPENING PER DETAIL 1 ON SHEET C9

Impact HYD – 2: Due to the increase in impervious area from development of office and manufacturing uses and associated pollutants and chemicals, the proposed project could adversely impact water quality in runoff entering the Guadalupe River and ultimately to San Francisco Bay.

MM HYD – 2: Potential post-construction pollutant impacts from the development of the site can be controlled below the level of significance through preparation and implementation of a storm water management plan (SWMP) consistent with recommended design criteria, in accordance with the NPDES permitting requirements enforced by the Regional Board.

The SWMP implements treatment measures and BMPs to be implemented for control of pollutants once the project has been constructed. The SWMP sets forth the BMP monitoring and maintenance schedule and identifies the responsible entities during the post-construction phase.

As detailed in Figures 4.7-1a-b, Stormwater Management Plan, the project incorporates post-construction water quality measures to control pollutant levels following practices outlined in the SCVURRP C.3 Treatment Method. Bio-retention basins have been sized and located across the site project to evenly capture runoff. Operations and maintenance plans for the bio-retention basins are outlined in the design plans; specifying inspection schedules, routine maintenance, and standing water limits for vector control. Source control measures have been detailed for maintenance including pavement sweeping, catch basin cleaning, and good housekeeping. Additionally, storm drains shall be labeled to discourage the disposal of pollutants such as fertilizers and pesticides. Covered trash enclosures are also specified to limit the amount of trash entering the storm drain system and into the Guadalupe River.

BMPs shall be implemented in accordance with criteria in the California Stormwater BMP Handbook for Construction⁶ or other accepted guidance and shall be reviewed and approved by the City prior to issuance of grading or building permits. The applicant shall identify the SWPPP Manager who will be the responsible party during the construction phase to ensure proper implementation, maintenance and performance of the BMPs.

With implementation of the SWMP, the proposed project would not result in significant post-construction-related water quality impacts. **(Less than Significant Impact with Mitigation)**

⁶ California Storm Water Quality Association, 2003, *California Storm Water Best Management Practice Handbook – Construction*.

4.7.2.2 Groundwater

The project site is located in the Santa Clara Plain within the Santa Clara groundwater sub-basin. The Santa Clara Plain is estimated to have an operational storage capacity of 350,000 acre-feet and has a maximum pumping limit of 200,000 acre-feet per year. This pumping limit is intended to maintain land subsidence at less than 0.01 feet per year.⁷ Recharge of the Santa Clara Plain is achieved through an equal combination of natural in-stream recharge and recharge activities managed by SCVWD each totaling about 35,100 acre-feet per year.⁸ The site is not located within an aquifer recharge area designated by the SCVWD. Furthermore, the project's preliminary storm water management plan proposes bio-retention basins that could infiltrate more storm water runoff into the groundwater than presently occurs on the site in its existing condition. Bio-retention areas will be constructed with sandy loam planting soil that has a higher infiltration rate than current soil types on the site. Given the lack of active aquifer recharge on site under existing conditions and the plans to promote runoff through the use of strategically located bio-retention basins, the impact of the project to groundwater recharge is *less than significant*.

4.7.2.3 Erosion or Siltation

During extreme storm events, existing runoff generally flows to the northeastern corner of the site and out to the New Chicago Marsh which drains directly to San Francisco Bay. After proposed development, site runoff will be directed to the City of San Jose's Oakmead storm drain system, which consists of street gutters and underground pipe. While this does constitute an alteration of the existing drainage pattern of the site, site development will provide hardened surfaces and landscaping that is not prone to erosion. Further erosion protection comes with the bio-retention basins included in the storm water quality control plan. The project will therefore not result in increased on-site erosion that could increase the amount of soil carried with storm water runoff to cause deposition (siltation) elsewhere. Furthermore all developed site runoff will be conveyed to urbanized (hardened) drainage systems and this impact is *less than significant*.

4.7.2.4 Drainage

With substantial new impervious surface area, site development substantially increases the peak rate at which surface runoff leaves the site and enters the existing storm water drainage systems that will convey this flow and discharge storm water to the Guadalupe River through existing pump stations. Storm drain system models for the North San Jose area created by *Schaaf & Wheeler* for the City of San Jose have been used to evaluate the impact of the site on flood conditions in the area and the impact to existing storm drain system capacity. Runoff from the Midpoint Site currently flows to the New Chicago Marsh. When the Site is developed, on-site storm water collection systems will connect bio-retention areas directly to City of San Jose Oakmead Storm Drain System in Disk Drive. The bio-retention ponds are intended to provide treatment for water quality mitigation, and do not contribute to significant runoff attenuation during extreme storm events.

Computed flood depths within the Oakmead system during a 10-year and 100-year storm event under existing conditions are presented in Appendix F, Figures 2 and 3, respectively. With the proposed

⁷ DWR, Bulletin 118, California's Groundwater Update 2003

⁸ Watershed Assessment Consultant, *Water Management in the Santa Clara Basin*, February 2001

development, the site will have an average impervious area of 83%. Results for the post-project model 10-year and 100-year storm events are presented in Appendix F, Figures 4 and 5, respectively.

10-year Storm Event

The 10-year event is the storm used by the City to design the storm drain system, while the 100-year event is the threshold of significance used by the City to identify significant impacts under CEQA. The modeling results show the 10-year storm would exceed the capacity of the existing storm drain pipe in Disk Drive. A capital improvement project (CIP) was previously identified for the Cisco 6 Site area within the Oakmead System based on land use assumptions contained in the San Jose Storm Drain Master Plan (SDMP). This CIP consists of an additional 1,970 feet of 48-inch diameter storm drain pipe on Disk Drive north of Nortech Parkway. The location and length of pipe is depicted in Appendix F, Figure 6. When this new pipe is added to the Oakmead computer model the improvement adds sufficient capacity to the system to accommodate the 10-year runoff from the Midpoint project. However, the timeframe to install the 48-inch CIP pipe is unknown. In the event the Midpoint project is developed concurrent with or following installation of the 48-inch CIP pipe, the City may require the Midpoint project to provide a fair share contribution to help fund the improvement. Alternatively, in the event the project precedes the capital improvement, the project will design and construct its on-site storm water collection system to retain runoff on-site in a manner that the capacity of the existing 33-inch storm drain pipe in Disk Drive is not exceeded. This would be confirmed through a detailed supplemental hydraulic analysis prior to issuance of a grading permit.

100-year Storm Event

The Oakmead storm drain system does not have sufficient 100-year capacity as a whole, and this inadequate capacity is exacerbated by the Midpoint development, as well as other planned development in the area. Cumulative drainage impacts to the Oakmead system after the implementation of all planned local storm drain master plan improvements were analyzed, assuming the completion of all proposed cumulative development within the area, including the 57 acre Midpoint development, the 28.5 acre 237@First office project on west side of North First Street, and the existing Cisco development on the south side of Nortech Parkway, which together constitute the 152-acre Cisco Site 6 project. As stated previously, under existing site conditions, under the 100-year storm, approximately 25cfs drains from the subject site to the New Chicago Marsh to the east of Disk Drive. Assuming the 48-inch CIP pipe discussed above is installed in Disk Drive, the project site upon redevelopment would continue to discharge 25cfs to the New Chicago Marsh, and the additional runoff directed to the Oakmead storm drain system increases the risk for potential flooding within the Disk Drive and Nortech Parkway areas north of Highway 237 and along Holger Street on the south side of Highway 237. When the new 48-inch Disk Drive CIP pipe is added to the Oakmead computer model the improvement adds sufficient capacity to the system to accommodate increased 100-year storm runoff from the Midpoint project without causing capacity issues downstream, provided that the Oakmead Pump Station start levels are set to the recommended SDMP levels.

Cumulative post-project 100-year flooding is controlled somewhat by storm drain capacity

limitations in the Disk Drive system. Due to those limitations, some 100-year flow will still be released to the northeast and into the New Chicago Marsh system. Modeling shows that in the cumulative post-project condition with most site runoff directed toward the Oakmead Pump Station, the peak 100-year runoff contribution toward the New Chicago Marsh remains at 25cfs.

When cumulative drainage impacts are analyzed (assuming the 48-inch CIP pipe), there are two general locations where post-project 100-year flood depths are greater than 0.1 foot (see Appendix F, Figure 7). Near the intersection of Nortech Parkway with North First Street there is an increase in 100-year flooding depth of about 0.2 foot, but in these locations the 100-year hydraulic grade line is confined to the street right-of-way. At the intersection of North First Street with Syntax Court, the increase in depth is as much as 0.9 foot, which increases the 100-year hydraulic grade line from 6.5 feet NAVD to 7.4 feet NAVD. As depicted in Appendix E, Figure 8, the extent of increased flooding is limited to the North First Street right-of-way and part of the driveway to the adjacent parking lot. The buildings are elevated and other non-impacted points for ingress and egress to the parking lot are provided. After development, with the CIP storm drain system improvement, therefore, impacts to flood risk and storm drain system capacities as a result of cumulative development are *less than significant*.

There is currently no timeline for replacing the existing 1,970 linear feet of pipe in Disk Drive with the CIP 48-inch diameter pipe. The Oakmead system computer model was run for the 100-year storm event without this improvement to determine the cumulative impact in case development should occur before the improvement takes place. The localized impacts on Nortech Parkway and Syntax Court are unchanged, therefore, impacts to flood risk and storm drain system capacities as a result of cumulative development remain less than significant. The site's 100-year runoff contribution to New Chicago Marsh without the Disk Drive pipe improvement changes from 25cfs to 42cfs, a 17cfs increase. Since increased flow to New Chicago Marsh does not increase the risk of flooding to buildings or ingress and egress to parking lots, this impact is considered *less than significant*.

The upsized Disk Drive pipe would be installed within existing street right-of-way that has been previously disturbed due to the installation of the current pipes to be replaced, and therefore, no significant impacts are anticipated to sensitive resources (e.g. biological, cultural, aesthetic, etc.) and the construction-related impacts associated with installing this pipe in Disk Drive are considered minor in nature when compared to construction of the project buildings and other site improvements.

4.7.2.5 *Impacts to the Project Site*

Dam Inundation

According to dam failure inundation maps of the northern San Jose region, the project site is located within the inundation area for Anderson Dam,⁹ but the site is not located within dam failure inundation areas for Lexington, Elisma, Coyote, Cherry Flat, or Levin Dams. Routine inspections and analysis of the potential risks to the Anderson Dam are performed by the Santa Clara Valley Water District (SCVWD). Results from the most recent evaluation in 2009 determined an expected maximum inundation depth of 8.05 feet (elevation 17 feet) at the project site within 6 hours and 44 minutes after dam failure.

⁹ ABAG, *Dam Failure Inundation Hazard Map for NW San Jose/Milpitas/ Santa Clara*, October 20, 2003

These values assume dam failure at full capacity during a large storm event, whereas currently, the maximum depth is maintained below 68 percent full, following a recent SCVWD seismic analysis.¹⁰ It was recommended that the water level should remain 25 feet below the spillway until seismic retrofits can be completed (anticipated date of completion is 2018). Due to the high water surface elevations occurring with a dam failure, designing the project to withstand dam inundation is infeasible.

While the project site is subject to deep inundation should Anderson Dam fail catastrophically, the dam is inspected twice a year by the District in the presence of representatives from the California Division of Safety of Dams and the Federal Energy Regulatory Commission. Furthermore as previously discussed, Anderson Reservoir is managed to prevent significant damage during a maximum credible earthquake. So while potential inundation resulting from catastrophic dam failure could damage property and proposed structures within the project site posing a severe safety hazard, the probability of such failure is extremely remote and, therefore can be considered *less than significant*.

Flooding

According to the Flood Insurance Rate Map (FIRM) for Santa Clara County published by the Federal Emergency Management Agency effective May 18, 2009, the project site is located within the special flood hazard area (SFHA) Zone AE, subject to inundation by the 1% annual flood (100-year flood). The FEMA SFHA designations are shown on Figure 9 of Appendix F. Tidal inundation from San Francisco Bay under the regulatory assumptions necessitated by a non-accredited outboard levee system inundates the project site to a base flood elevation of 12.0 feet (NAVD 1988 Datum).

Impact HYD – 3: The project would place structures 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. **(Significant Impact)**

MM HYD – 3: The following mitigation measure reduces potential adverse project impacts on flooding.

By placing all structures on engineered fill compacted in conformance with NFIP standards with the minimum lowest adjacent grade of all buildings at or above elevation of 12.0 feet (NAVD 1988 Datum), structures would not be placed within a 100-year flood hazard area. An Elevation Certificate (FEMA Form 81-31) for each structure, based on construction drawings, is required prior to issuance of a building permit. Building support utility systems such as HVAC, electrical, plumbing, air conditioning equipment, and other service facilities must be elevated above the base flood elevation or protected from flood damage. **(Less than Significant Impact with Mitigation Incorporated)**

¹⁰ Santa Clara Valley Water District, Anderson Dam Seismic Stability Study, <http://www.valleywater.org> (July 2011).

The placement of fill within an area inundated by San Francisco Bay tides does not change the elevation of the tide and therefore does not impede or redirect tidal flooding. Current storm water runoff modeling within the interior areas of north San Jose (i.e. those areas protected from flooding by the outboard levee system, Guadalupe River levees, and Coyote Creek levees north of Montague Expressway) shows that proposed buildings at the site will not substantially impede or redirect flood flows and this impact is *less than significant*.

Seiche, Tsunami, and Mudflow Hazards

The project site is not within a tsunami inundation area or subject to a seiche. A seiche is the resonant oscillation of water generated in an enclosed body of water, such as San Francisco Bay, from seismic activity. Seiches are related to tsunamis for enclosed bays, inlets, and lakes. These tsunami-like waves can be generated by earthquakes, subsidence or uplift of large blocks of land, submarine and onshore landslides, sediment failures and volcanic eruptions. The strong currents associated with these events may be more damaging than inundation by waves. The largest seiche wave ever measured in the San Francisco Bay, following the 1906 earthquake, was four inches high. The Bay Area has not been adversely affected by seiches during its history within this seismically active region of California.¹¹ Thus the risk of inundation of seiche at the Site is considered to be *less than significant*.

Tsunami hazards for the Santa Clara County coastline have been modeled by the California Emergency Management Agency (Cal EMA) to identify areas at risk for tsunami inundation. Multiple source events were selected to represent local and distant earthquakes, and hypothetical extreme undersea, near-shore landslides occurring around the San Francisco Bay region. As defined by the Tsunami Inundation Map for Emergency Planning Milpitas Quadrangle dated July 31, 2009 shown in Appendix F, Figure 12,¹² the risk of inundation by tsunami at the proposed site is *less than significant*.

The project site is not located within limits of an existing or historical landslide according to the Landslide Inventory Map of the Milpitas Quadrangle (see Appendix F, Figure 13). Soil texture at the project site is defined as silty clay and silt loam with hydrologic soil grouping D (see Appendix F, Figure 14). The adhesive nature of these soils and the relatively flat grading at the site do not promote mudflow. Therefore, the possibility of landslide and mudflow hazards at the project site is *less than significant*.

4.7.3 Conclusion

Given the lack of active aquifer recharge on site under existing conditions and the plans to promote infiltration through the use of strategically located bio-retention basins, the impact of the project to

¹¹ US Army Corps of Engineers San Francisco District, Port of Oakland. *Oakland Harbor Navigation Improvement (-50 foot) Project SCH No. 97072051 Final Environmental Impact Statement/Report*, May 1998, updated January 2000.

¹² *California Emergency Management Agency. Tsunami Inundation Map for Emergency Planning, Milpitas Quadrangle.*

groundwater recharge is less than significant. The risk of inundation by a seiche, tsunami, or mudflow at the site is considered to be less than significant. The project will not result in increased on-site erosion that could increase the amount of soil carried with storm water runoff to cause deposition (siltation) elsewhere. Furthermore all developed site runoff will be conveyed to urbanized (hardened) drainage systems and this impact is less than significant. While potential inundation resulting from catastrophic dam failure could damage property and proposed structures within the project site posing a severe safety hazard, the probability of such failure is extremely remote and, therefore can be considered less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

Construction of the proposed project, as well as grading, and excavation activities, may result in temporary impacts to surface water quality. Potential construction-phase pollutant impacts from the development of the site will be controlled through preparation and implementation of an erosion control plan and a storm water pollution prevention plan consistent with recommended design criteria, in accordance with the NPDES permitting requirements enforced by the Regional Board. **(Less than Significant Impact with Mitigation)**

Upon development, the project's increased impervious surface area and associated pollutants and chemicals could adversely impact water quality in runoff entering the Guadalupe River and ultimately to San Francisco Bay. The project includes preparation and implementation of a storm water management plan (SWMP) consistent with recommended design criteria, in accordance with the NPDES permitting requirements enforced by the Regional Board. The SWMP incorporates measures to control pollutant levels as outlined in the SCVURRP C.3 Treatment Method to ensure the project would not result in significant post-construction-related water quality impacts. **(Less than Significant Impact with Mitigation)**

Increased runoff during the 100-year storm from development of the project site would be responsible for additional flood risk experienced as an increase in local flood depths. A planned capital improvement to the Oakmead drainage system entails the installation of about 1,970 feet of 48-inch diameter storm drain pipe on Disk Drive in the Oakmead system. After development, with the proposed infrastructure improvements, impacts to flood risk and storm drain system capacities as a result of the project will be less than significant. There is currently no timeline for replacing the existing 1,970 linear feet of pipe in Disk Drive with the CIP 48-inch diameter pipe. Should the Midpoint project development occur before the storm drain improvement takes place, the localized impacts on Nortech Parkway and Syntech Court would be unchanged, therefore, impacts to flood risk and storm drain system capacities as a result of cumulative development remain less than significant. The 100-year runoff contribution to Chicago Marsh without the Disk Drive pipe improvement changes from 25cfs to 42cfs, a 17cfs increase. Since increased flow to Chicago Marsh does not increase the risk of flooding to buildings or ingress and egress to parking lots, this impact is less than significant. **(Less Than Significant Impact)**

The project would place structures 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. By placing all structures on engineered fill compacted in conformance with NFIP standards with the minimum lowest adjacent grade of all buildings at or above elevation of 12.0 feet (NAVD 1988 Datum), structures would not be placed within a 100-year flood hazard area. **(Less Than Significant Impact with Mitigation)**

Checklist Sources

1. Professional judgment and expertise of the environmental planner preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
2. City of San José. Final Environmental Impact Report, Cisco Site 6 Project (File No. PDC99-054. April 2000.
3. City of San José. Final Program Environmental Impact Report for Envision San Jose 2040 General Plan. September 2011.
4. Hexagon Transportation Consultants, Midpoint Supplemental Traffic Memo, November 2013.
5. City of San Jose. North San Jose Development Policies Update Final EIR. June 2005.
6. Charles M. Salter & Associates, Midpoint at 237 Loading Dock Noise Study. March 2014.
7. Illingworth & Rodkin. Construction and Operational Health Risk Assessment. February 2014.
8. Haley & Aldrich. Phase I Environmental Site Assessment. March 2013.
9. Schaaf & Wheeler, Hydrology and Water Quality Review Midpoint Project. March 2014.

SECTION 5.0 REFERENCES

Charles M. Salter & Associates, Midpoint at 237 Loading Dock Noise Study. March 2014.

City of San José. Envision San José 2040 General Plan.2011.

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City of San José. Final Program Environmental Impact Report for Envision San Jose 2040 General Plan. September 2011.

City of San José. Zoning Ordinance.

Haley & Aldrich. Phase I Environmental Site Assessment. March 2013.

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Illingworth & Rodkin. Construction and Operational Health Risk Assessment. February 2014.

Schaaf & Wheeler. Hydrology and Water Quality Review Midpoint Project. March 2014.

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