DRAFT
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
FOR

REVISION OF THE EVERGREEN DEVELOPMENT POLICY

SAN JOSE, CALIFORNIA

CITY OF SAN JOSE FILE NO: PP-08-121
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AUGUST 2008

PREFACE

In this Supplemental Environmental Impact Report (EIR), the City of San Jose is evaluating a proposed revision to the Evergreen Development Policy. The existing Evergreen Development Policy (the "Policy") sets forth transportation and flood control criteria that must be satisfied prior to development occurring within the Evergreen area of the City of San Jose. The project proposes a revision to the Evergreen Development Policy to provide for traffic allocation for the future development of the following uses:

- a pool of 500 residential dwelling units
- 500,000 square feet of commercial retail space
- 75,000 square feet of office space

A Supplemental Environmental Impact Report (SEIR) is prepared when an EIR has previously been certified and changes are proposed to a project that will result in 1) new significant effects, and/or 2) a substantial increase in the severity of previously identified significant effects, and only minor additions or changes are necessary to make the previous EIR adequately apply to the changed project. In this case, the EIR being supplemented is the Evergreen • East Hills Vision Strategy Project EIR (SCH 2005102007), which was certified by the San Jose Planning Commission on November 10, 2006.[1]

This Supplemental EIR has been prepared in accordance with the CEQA Guidelines (§15163). According to the CEQA Guidelines, a SEIR need only contain the information necessary to make the previous EIR adequate for the project, as revised. A SEIR shall be given the same kind of notice and public review as is given to a draft EIR under CEQA Section 15087. A SEIR may be circulated by itself, without recirculating the previous draft or final EIR. When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR, as revised by the SEIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR, as revised.

Since the proposed project would revise the Evergreen Development Policy to provide traffic allocation only, this SEIR focuses on the traffic impacts of the proposed Evergreen Development Policy change, as well as the secondary effects of traffic, such as noise and air quality. This SEIR also evaluates the effects of the proposed traffic allocation on global climate change.

In accordance with Section 15082 of the CEQA Guidelines, a Notice of Preparation (NOP) was circulated to the public and responsible agencies for input regarding the analysis in this SEIR. This SEIR addresses those issues which were raised by the public and responsible agencies in response to the NOP. The NOP and the public responses to the NOP are presented in Appendix A of this SEIR.

[1]The certification of the EIR by the San Jose Planning Commission was appealed to the San Jose City Council. On December 12, 2006, the City Council upheld the Planning Commission's certification of the EIR.

Per Section 15150 of the CEQA Guidelines, this SEIR incorporates information from the City of San José *Evergreen • East Hills Vision Strategy Project EIR* (SCH 2005102007). As stated in Section 15150(f), "incorporation by reference is most appropriate for including long, descriptive, or technical materials that provide general background, but do not contribute directly to the analysis of the problem at hand." This SEIR, and all documents referenced in it, are available for public review at the Department of Planning, Building, and Code Enforcement (PBCE), located at 200 East Santa Clara Street, San José, California, on weekdays during normal business hours.

TABLE OF CONTENTS

FIGURES

TABLES

SUMMARY

In this Supplemental Environmental Impact Report (EIR), the City of San Jose is evaluating a proposed revision to the Evergreen Development Policy. The existing Evergreen Development Policy (the "Policy") sets forth transportation and flood control criteria that must be satisfied prior to development occurring within the Evergreen area of the City of San Jose. The project proposes a revision to the Evergreen Development Policy, entitled the Evergreen-East Hills Development Policy, to provide for traffic allocation for the future development of the following uses:

- a pool of 500 residential dwelling units
- 500,000 square feet of commercial retail space
- 75,000 square feet of office space

The Evergreen-East Hills Development Policy utilizes the Existing Evergreen Development Policy's traffic impact criteria but allows some decreased vehicular traffic level of service, while maintaining an average of LOS D or better when vehicular traffic improvements unacceptably conflict with other modes of travel or biological resources.

The project proposes corresponding General Plan Text Amendments to reflect the proposed revisions to the existing area development policy and revise the name from the Evergreen Development Policy to the Evergreen-East Hills Development Policy.

A Supplemental Environmental Impact Report (SEIR) is prepared when an EIR has previously been certified and changes are proposed to a project that will result in 1) new significant effects, and/or 2) a substantial increase in the severity of previously identified significant effects, and only minor additions or changes are necessary to make the previous EIR adequately apply to the changed project. In this case, the EIR being supplemented is the Evergreen • East Hills Vision Strategy Project EIR (SCH 2005102007), which was certified by the San Jose Planning Commission on November 10, 2006.

The following is a brief summary of project impacts and mitigation measures addressed within this SEIR. The complete project description and discussion of impacts and mitigation can be found in the text of the SEIR which follows.

ENVIRONMENTAL IMPACTS	MITIGATION AND AVOIDANCE MEASURES
Traffic Impacts	
<u>US 101 and Yerba Buena Road (East)</u> This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by converting a westbound through lane into a shared through/right-turn lane. Improvements to the US 101/Yerba Buena Road interchange were addressed in the previously certified FEIR. **(Less than Significant Impact with Mitigation)**

ENVIRONMENTAL IMPACTS	MITIGATION AND AVOIDANCE MEASURES
Capitol Expressway and Nieman Boulevard This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The improvement required to restore traffic LOS to background conditions include adding a second westbound right-turn lane. Double-right turn lanes are considered a design which is less desirable, as they increase the likelihood of pedestrian conflicts. Under the proposed Evergreen-East Hills Development Policy, this impact would be exempt from requiring mitigation, due to its creation of undesirable conflicts with other modes of travel. **(Less than Significant Impact)**
Capitol Expressway and Quimby Road This intersection would operate at LOS E with a V/C of 1.050 during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The impact could be mitigated by adding exclusive northbound and eastbound right-turn lanes. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**
Capitol Expressway and Story Road This intersection would operate at LOS D during both the AM and PM peak hours under background conditions, and the added project trips would cause the level of service to degrade to LOS E during both peak hour periods. Based on the Evergreen Development Policy, this constitutes a significant project impact.	Mitigation for this impact would consist of constructing a grade separation at this location, which determined to be infeasible due to substantial right-of-way and relocation impacts. Since the Capitol Expressway/Story Road intersection is a CMP intersection, its projected LOS E is acceptable under CMP standards. Further explanation of why mitigation at this intersection is infeasible is provided in the certified FEIR, which had the same significant unavoidable impact conclusion. A statement of overriding considerations would be required for this intersection impact. (**Significant Unavoidable Impact)**
Evergreen Commons and Tully Road This intersection would operate at LOS A during the AM peak hour under background conditions, and the project trips would cause the level of service to degrade to LOS B. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The improvement necessary to restore traffic LOS to background conditions would require adding a second westbound left-turn lane into an existing shopping center on the south side of Tully Road. Right-of-way would be required to widen the Tully Road bridge over Lower Silver Creek, along the north side of

ENVIRONMENTAL IMPACTS	MITIGATION AND AVOIDANCE MEASURES
	Tully Road, and from the landscaping at the shopping center to the south. It is likely that the necessary widening would affect riparian vegetation and possibly wetlands. Without obtaining landscaping area from the parking lot, the site is too shallow to extend the double left turn lanes far enough into the site to operate effectively. The necessary improvement would create unacceptable impacts to biological resources; therefore, the proposed revised Evergreen-East Hills Development Policy includes an exemption from this impact requiring mitigation. **(Less than Significant Impact)**
White Road and Quimby Road This intersection would operate at LOS D during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by adding a second northbound left-turn lane. The mitigation could be completed within the existing right-of-way and would improve the intersection level of service to LOS D. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**
White Road and Stevens Lane This intersection would operate at LOS A during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS B. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by adding a second westbound left-turn lane, which would require acquisition and demolition of four single-family homes along the north side of Stevens Lane. This mitigation measure is considered infeasible, due to the demolition of four homes required to implement it and a statement of overriding considerations would be required. **(Significant Unmitigated Impact)**
White Road and Aborn Road This intersection would operate at LOS D during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. **(Less than Significant Impact with Mitigation)**

ENVIRONMENTAL IMPACTS	MITIGATION AND AVOIDANCE MEASURES
San Felipe Road and Yerba Buena Avenue (North) This intersection would operate at LOS A during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS B. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The improvement required to restore traffic LOS to background conditions includes adding an exclusive southbound right-turn lane. Double right-turn lanes are considered a less desirable design, due to the potential for pedestrian conflicts. This is particularly important at this location, proximate to two elementary schools. Under the proposed Evergreen-East Hills Development Policy, this impact would be exempt from requiring mitigation, due to its creation of undesirable conflicts with other modes of travel. **(Less than Significant Impact)**
San Felipe Road and Delta Road This intersection would operate at LOS B during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS C. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The improvement required to restore traffic LOS to background conditions includes either adding a second westbound left-turn lane or by adding a second southbound left-turn lane. Adding lanes to intersections can be detrimental to pedestrian movement and City policies strive to find a balance between all modes of circulation and promote safe access for all travel modes, including bicycle and pedestrian. Under the proposed Evergreen-East Hills Development Policy, this impact would be exempt from requiring mitigation, due to its creation of undesirable conflicts with other modes of travel. **(Less than Significant Impact)**
San Felipe Road and Yerba Buena Road (South) This intersection would operate at LOS E with a V/C of 1.136 during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by adding a second eastbound left-turn lane and a second southbound left-turn lane. The mitigation could be done within the existing ROW and would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**
Nieman Boulevard and Aborn Road This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS	The level of service impact could be mitigated by converting a southbound through lane into a second southbound left-turn lane. The mitigation could be done within the existing right-of-way and would

ENVIRONMENTAL IMPACTS	MITIGATION AND AVOIDANCE MEASURES
D. Based on the Evergreen Development Policy, this constitutes a significant project impact.	improve the intersection level of service to LOS C. **(Less than Significant Impact with Mitigation)**
Nieman Boulevard and Yerba Buena Road This intersection would operate at LOS D during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by adding a second westbound left-turn lane. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**
McLaughlin Avenue and Tully Road This intersection would operate at LOS E during the PM peak hour under background conditions, and the added project trips would cause the delay to increase by 8.6 seconds and the v/c ratio to increase by 3.1 percent (0.031). Based on the Transportation Impact Policy, this constitutes a significant project impact.	The level of service impact could be mitigated by adding an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition or a narrowing of the sidewalk in front of the corner parcel (from 10 to 5 feet) and eliminating the planting strip in front of the adjacent parcel. Based on the Transportation Impact Policy, these improvements would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**
Air Quality	
As described in the previously certified EEHVS FEIR (Section 4.4, Air Quality), the vehicle trips generated under each EEHVS development scenarios were determined to result in a significant regional air quality impact. The proposed revision to the Policy will allow traffic allocation generating approximately 48,415 average daily vehicle trips. The project ADT is estimated to generate approximately 292 pounds per day Reactive Organic Gases (ROG), 296 pounds per day nitrogen oxides, and 610 pounds per day of particulate matter (PM_{10}). The BAAQMD threshold of significance for each of these regional pollutants is 80 pounds per	The project includes the same measures that were identified in the FEIR for the EEHVS Scenarios and they would apply to development allowed by the proposed Evergreen Development Policy revision. These measures, which are included as part of the project, would partially reduce long-term air quality impacts, but *not* to a less-than-significant level. **(Significant Unavoidable Impact)**

ENVIRONMENTAL IMPACTS	MITIGATION AND AVOIDANCE MEASURES
day. The project, therefore, would result in a significant regional air quality impact.	
Noise	
Traffic noise generated by future development that would be allowed under the proposed Evergreen Development Policy Revision would not result in a significant long-term noise level increase. **(Less than Significant Impact)**	No mitigation is required or proposed.
Cumulative Global Climate Change	
The project itself is the local cumulative development for the Evergreen Development Policy area, above and beyond the cumulative development that was already evaluated in the previously certified FEIR (incorporated here by reference). There are no pending development applications that require traffic reports adjacent to the EEHDP boundaries. For this reason, there is no further discussion of cumulative traffic impacts in this SEIR. The proposed project would not contribute to significant cumulative impacts of traffic or traffic-generated noise or air quality impacts. **(Less than Significant Cumulative Impact)** The project would result in an increase in greenhouse gas emissions, in terms of carbon dioxide equivalents, but through its consistency with many of the City's Green Vision policies and the state recommended CHG reduction measures, it is not expected to impede local, regional or statewide efforts to reduce overall greenhouse gas emissions to 1990 levels. **(Less than Significant Cumulative Impact)** The project would not be directly impacted by sea level rise. The project would not be substantially affected by higher summer temperatures and ozone pollution. **(Less Than Significant Cumulative Impact)**	All future development allowed by the project would be subject to the City policies and regulations in place at the time they are proposed, including policies related to recycled water use, stormwater quality, alternative energy, and other "green" policies currently being considered by the City.

ALTERNATIVES TO THE PROJECT

In the case of this Supplemental EIR, it is supplementing an already certified EIR that examined seven development scenarios, or alternatives, for the Evergreen • East Hills area.

The purpose of evaluating alternatives in an EIR is to assess whether there are other ways to achieve the project objective(s), while at the same time avoiding the identified significant impacts of the project. The significant unavoidable impacts of the proposed project include transportation and transportation-generated air quality impacts. In this case, since virtually any residential development in the Evergreen • East Hills area would result in significant traffic impacts, there is no practical build alternative that would meet this criterion. Similarly, for air quality, the 80 pounds per day threshold of significance established by BAAQMD is very stringent. Reducing the level of development to a point where this threshold would not be exceeded would result in a project substantially smaller than that proposed, which would not fulfill the objectives established by the City Council as discussed below.

No Project Alternative

The No Project Alternative would not allow the development associated with the proposed Evergreen Development Policy revision traffic allocation. This means that little to no additional development would be allowed in the Evergreen • East Hills area area beyond what currently exists or is already approved. The largest approved, but not constructed development in the Evergreen • East Hills area is 4.66 million square feet of campus industrial development on the Legacy and Berg Sites. Additionally, the Arcadia property could be development with 217 dwelling units.

The No Project Alternative was evaluated as Scenario I in the previously certified EIR, and is reflected in the Background Conditions scenario in this SEIR traffic impact analysis. The intersection levels of service under background (No Project) conditions are shown in Table 2.1-7. The No Project Alternative would avoid all the impacts of the proposed project, because it would not allow *any* additional development to occur in the Evergreen • East Hills area. The No Project Alternative would not meet any of the objectives of the project to increase commercial and office development in the area to reduce vehicle trips leaving the area, and it would not allow any additional residential development on vacant, underutilized and infill parcels.

Reduced Scale Alternative

A Reduced Scale Alternative was considered to avoid the proposed project's significant unavoidable freeway impacts, and the significant unavoidable impact to the intersection of Capitol Expressway and Story Road. The proposed traffic allocation would need to be reduced to 60% of its current size, in order to avoid the significant freeway impacts; and the project would need to be reduced to 55% of its current size, in order to avoid the significant unavoidable traffic impact to the intersection of Capitol Expressway and Story Road. This level of reduction would result in an alternative traffic allocation for 275 dwelling units, 275,000 square feet of commercial development, and 41,250 square feet of office space. The Reduced Scale Alternative would reduce, but not avoid, the project's significant regional air quality impact. The level of development allowed by the Reduced Scale Alternative does not fully meet the project objectives established by the City Council.

Environmentally Superior Alternative

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. Based on the above discussions, the environmentally superior alternative is the Reduced Scale Alternative, because it would avoid the project's significant unavoidable freeway segment impacts, as well as the significant impact to the intersection of Capitol Expressway and Story Road. The Reduced Scale Alternative would reduce, but not avoid, the project's significant unavoidable regional air quality impact. The level of development allowed by the Reduced Scale Alternative does not fully meet the project objectives established by the City Council.

SECTION 1.0 PROJECT INFORMATION

1.1 INTRODUCTION

This Supplemental EIR (SEIR) has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) and the City of San Jose. The purpose of this SEIR is to inform the public and various governmental agencies of the environmental effects of proposed changes to the City's adopted Evergreen Development Policy.

1.2 PROJECT LOCATION

The proposed project is located within the City of San Jose in an area historically known as Evergreen. Per the existing Evergreen Development Policy, this area generally refers to the portion of the City of San Jose that lies east of U.S. 101 and south of Story Road, and north of the Hellyer Avenue/U.S. 101 interchange, excluding properties outside of the Urban Service Area boundary. See Figures 1 and 2 on the following pages.

1.3 DESCRIPTION OF PROJECT

The existing Evergreen Development Policy (the "Policy") sets forth transportation and flood control criteria that must be satisfied prior to development occurring within the Evergreen area of the City of San Jose. The project proposes a revision to the Evergreen Development Policy to provide for traffic allocation for the future development of the following uses:

- a pool of 500 residential dwelling units
- 500,000 square feet of commercial retail space
- 75,000 square feet of office space

The locations of this development within the Evergreen area have not been determined. However, for analytical purposes the above-mentioned development capacities have been distributed as shown in Table 1.3-1. The distribution is based on a review of infill parcels throughout the Evergreen area that are undeveloped, underutilized, or potential candidates for redevelopment.

The revised Evergreen Development Policy would limit the number of dwelling units to a maximum of 35 on any one site unless the development incorporates affordable housing, historic preservation, or mixed-use components.

For purposes of the update, the revised Evergreen Development Policy is proposed to be called the Evergreen • East Hills Development Policy. A copy of the text of the revised Evergreen Development Policy is attached in Appendix A of this SEIR.

In place of the citywide Level of Service (LOS) Standard, the EEHD Policy, which is a revision of the Evergreen Development Policy, provides traffic capacity for a 'Development Pool' of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office at undetermined locations within the Evergreen-East Hills Area (defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area

generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends) and the corresponding transportation infrastructure improvements. The Evergreen-East Hills Development Policy utilizes the Existing Evergreen Development Policy's traffic impact criteria but allows some decreased vehicular traffic level of service, while maintaining an average of LOS D or better when vehicular traffic improvements unacceptably conflict with other modes of travel or biological resources.

Impact Criteria. A project is said to create a significant adverse impact on traffic conditions at a signalized intersection located in the Development Policy Area if for during peak hours:

1. The level of service at the intersection degrades to a worse letter grade level of service, or

2. a) For non-residential projects, the level of service at the intersection is an unacceptable Level of Service E or F and the addition of project traffic adds more than a one-half percent (0.5%) increase in the critical traffic volume at the intersection.
   b) For residential projects, one or more added trips to an intersection operating at an unacceptable Level of Service E or F.

Unacceptable Levels of Service are intersections functioning at Level of Service E or F under "background" conditions. Background conditions are the traffic conditions that take into account the build out of already approved trips through the original Evergreen Development Policy, existing buildings, and projects with existing entitlements. A significant impact can be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

Exemption. However an impact will not require mitigation under the following conditions:

1. The Intersection will continue to operate at LOS D or better, and

2. The improvement(s) necessary to improve conditions to background conditions create undesirable conflicts with other modes of travel or have unacceptable impacts on Biological Resources, and

3. The development causing the impact is within the scope of the Development Pool.

As described in Section 2.1, **Transportation**, the Development Pool, as its distribution is assumed in the Traffic Analysis, is anticipated to cause the level of service to degrade to a worse letter grade (but not worse than LOS D), at the following four intersections:

1. Capitol Expwy and Nieman Blvd;
2. San Felipe Rd and Yerba Buena Ave (North);
3. San Felipe Rd and Delta Rd
4. Evergreen Commons and Tully Road

At each of three intersections numbered 1-3 above, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel in that:

1. At the intersection of Capitol Expressway and Nieman Boulevard, the improvement required to improve conditions to background conditions include adding a second westbound right-

turn lane. Double-right turn lanes are considered a design which is less desirable, as they increase the likelihood of pedestrian conflicts.

2. At the San Felipe Rd and Yerba Buena Ave (North) intersection, the improvement required to improve conditions to background conditions includes adding an exclusive southbound right-turn lane. As noted above, double right-turn lanes are considered less desirable, as they increase the likelihood of pedestrian conflicts.
3. At the San Felipe Rd and Delta Road intersection, the improvement required to improve conditions to background conditions includes adding a second westbound left-turn lane or adding a second southbound left-turn lane. Adding lanes to intersections also increase conflicts with pedestrian movement. This is particularly important at this location, which is proximate to several schools.

At intersection number 4 above (Evergreen Commons and Tully Road), the improvements necessary to restore traffic LOS to background conditions create unacceptable impacts to biological resources as the improvement would require the widening of a bridge crossing Lower Silver Creek which would remove riparian habitat.

At these four intersections, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel or create unacceptable impacts with biological resources.

In the event development is proposed at locations substantially different than the assumed distribution, supplemental traffic analysis would be required to determine whether additional intersections would be affected and whether improvements could be made to restore traffic LOS to background conditions. In the event the improvements would create undesirable conflicts with other modes of travel or create unacceptable impacts to biological resources, the resulting LOS degradation would also be deemed acceptable at those intersections for purposes of facilitating the Development Pool so long as the affected intersection would continue to operate at LOS D or better and, but for the vehicular traffic distribution element, the proposed development would otherwise fall within the Development Pool.

Other Non-Pool Development. Future development, beyond that which is included in the Development Pool, must be analyzed for conformance with the above-stated Traffic Impact Criteria. Such development shall provide mitigation for its traffic impacts, consistent with the EEHD Policy, unless the necessary improvements create undesirable conflicts with other modes of travel or have unacceptable impacts to biological resources. In those cases, the City Council would consider whether to modify the EEHD Policy to allow the development despite the degradation in LOS or restrict such development in light of the resulting LOS.

General Plan Text Amendments

The project proposes corresponding General Plan Text Amendments to reflect the proposed revisions to the existing area development policy and revise the name from the Evergreen Development Policy to the Evergreen-East Hills Development Policy.

Proposed Text Amendment to the General Plan is as follows, with deleted text shown in ~~strikethrough~~ and new text <u>underlined</u>:

1. Amend Chapter V. Land Use/Transportation Diagram, Evergreen Development Policy, page 144

Evergreen-East Hills Development Policy

The Evergreen Development Policy (EDP) was originally adopted in 1976 to address the issues of flood protection and traffic capacity in Evergreen. The policy applies to all property in the area located south of Story Road and west of the Bayshore Freeway (State Route 101). This policy was based upon City analyses done in 1974 and 1975 which concluded that transportation and flood protection deficiencies constituted substantial constraints to development in Evergreen. The revisions were made to this policy in 2008, and the Policy was re-named the Evergreen-East Hills Development Policy (EEHDP). The Evergreen-East Hills Development Policy provides policy framework for allowing a new "development pool", which constitutes the additional development capacity of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office uses in the EEHDP area. The policy identifies the required transportation system improvements to support this buildout. The policy ensures that the development pool, plus background trips would maintain a Level of Service of "D" capacity and ensures that intersections functioning at unacceptable levels of service restore the intersection level to background conditions or better. Background trips constitute already approved trips through the Original Evergreen Development Policy, existing buildings, and projects with existing entitlements, and background conditions are the traffic conditions that take into account the build out of background trips. ~~total number of existing dwelling units, plus those which have zoning, tentative map, or site development approval would be regulated to maintain an average Level of Service "D" capacity for the screenline intersections. The revisions to this policy in 1995 provide the policy framework for the buildout of Evergreen. The policy specifies a residential development potential for the policy area and identifies the required transportation system improvements to support this buildout.~~

2. Amend Chapter V. Land Use/Transportation Diagram, Silver Creek Planned Residential Community, Provision of Public Services, pages 164

Future development in the Planned Residential Community will be subject to all other City development policies and controls. Specifically, this will include conformance to the Evergreen-East Hills Development Policy.

The Evergreen-East Hills Development Policy (EEHDP) is a separate policy document adopted by the City Council to address traffic congestion and flooding problems in the Evergreen-East Hills area including the Silver Creek Planned Residential Community. The Development Policy, called the Evergreen Development Policy, was revised in 2008, and re-named the Evergreen-East Hills Development Policy (EEHDP). The Evergreen-East Hills Development Policy provides policy framework for allowing a new "development pool", which constitutes the additional development capacity of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office uses in the EEHDP area. The policy identifies the required transportation system improvements to support this buildout. ~~as a part of the process that created the Evergreen Specific Plan (ESP) described in the section. The focus of the revision was the identification of appropriate traffic mitigation measures to implement the land use plan of the ESP and to allow other existing vacant residential land in the area to develop. The off-site improvements required for new development were identified through a reevaluation and revision of the EDP. The revised EDP identifies two major off-site improvements which must occur to allow full development of the area: 1) a five mile segment of Capitol Expressway which must be~~

~~widened to eight lanes (including two HOV lanes) or the equivalent; and 2) an additional on-ramp and lane from Capitol Expressway to Highway101. The nature of these improvements is described in, and will be implemented through the EDP.~~

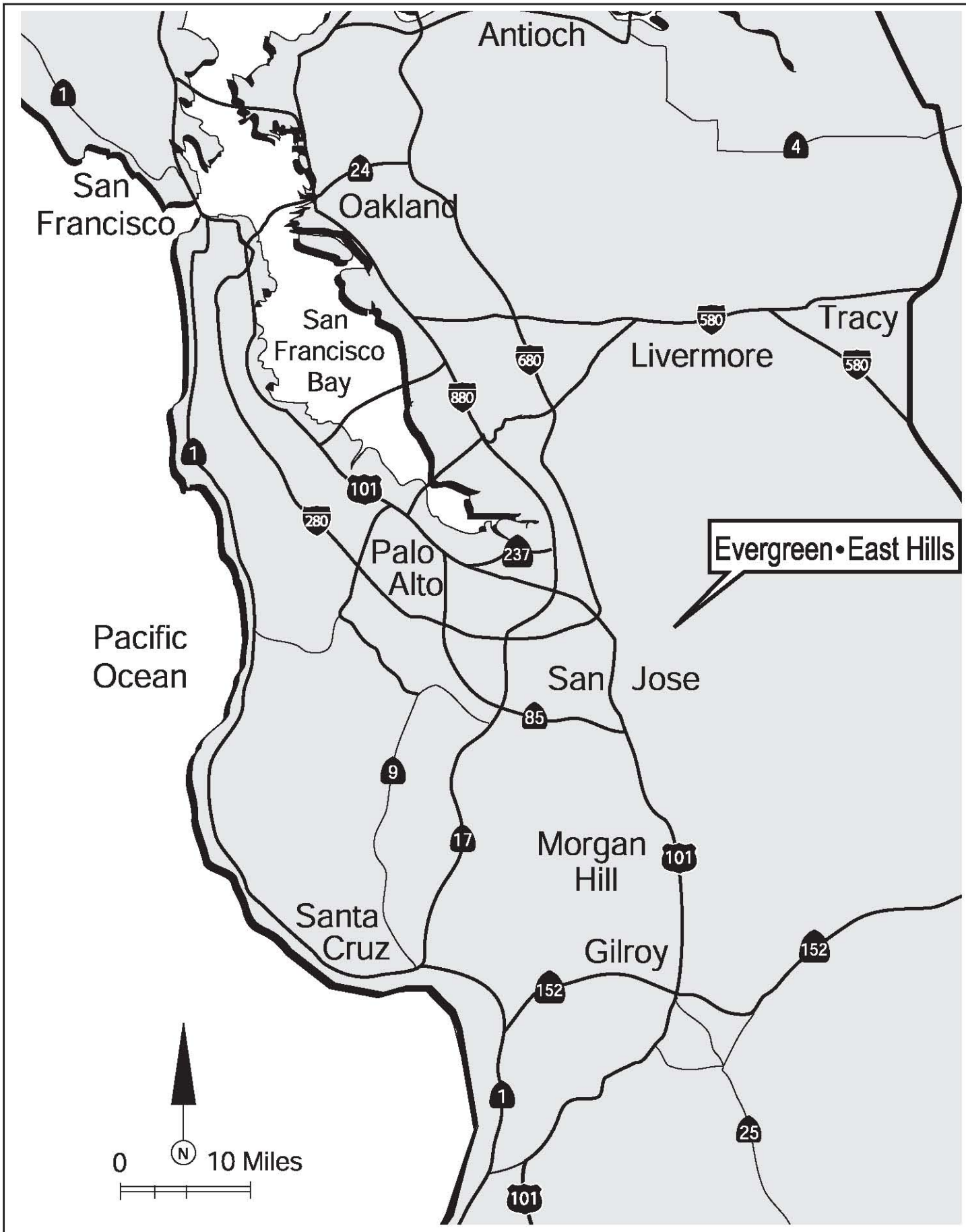
3. Amend Chapter V. Land Use/Transportation Diagram, Evergreen Planned Residential Community, pages 174-175

Relationship to Evergreen-East Hills Development Policy

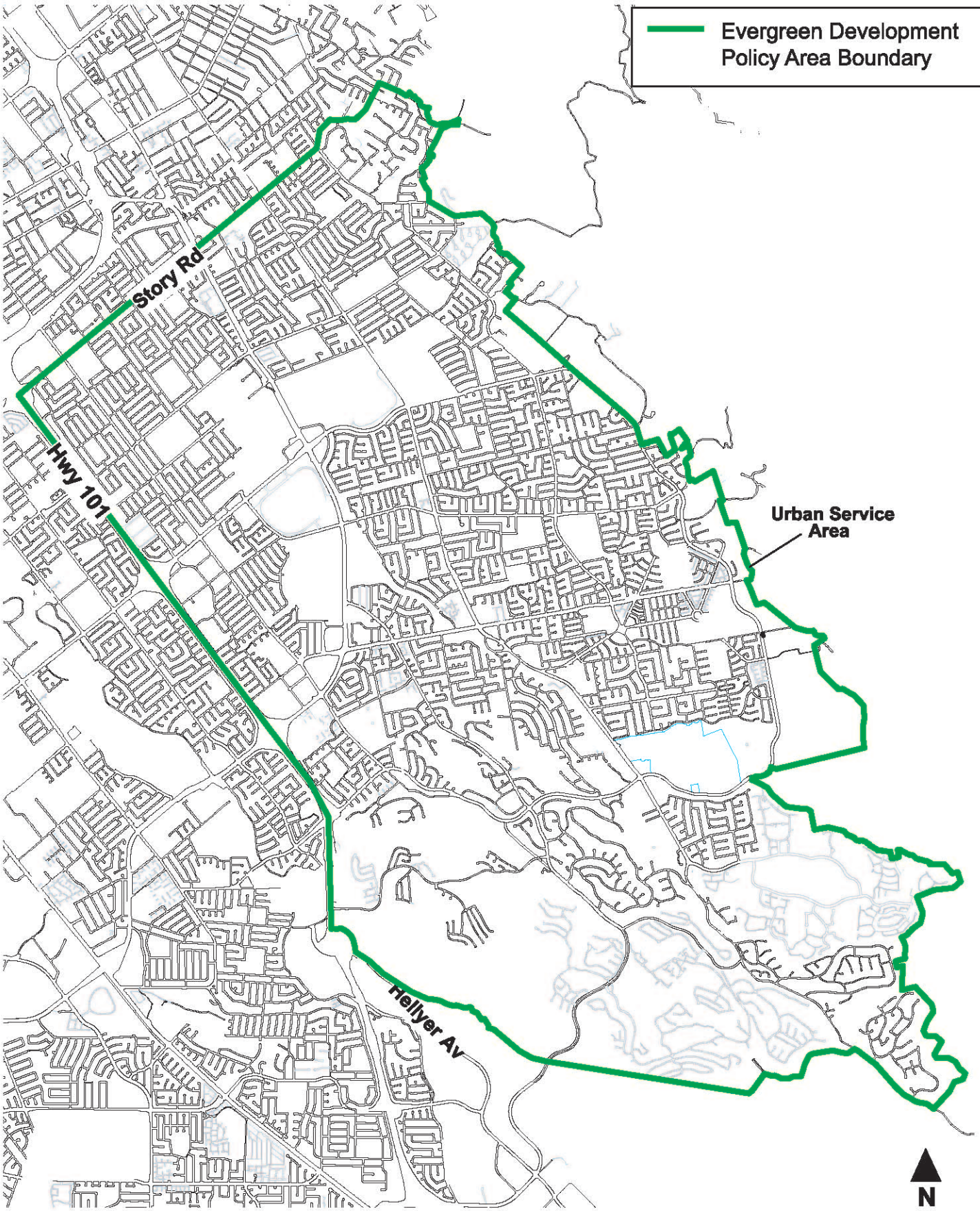
The Evergreen-East Hills Development Policy (EEHDP) is a separate policy document adopted by the City Council to address traffic congestion and flooding problems in the Evergreen area. The Evergreen Planned Residential Community (EPRC) is located within the much larger EEHDP area. The EEHDP, formerly called the Evergreen Development Policy (EDP) prior to 2008, was revised as a part of the process that created the Evergreen Specific Plan (ESP). The focus of the EDP revision in 1991 was the identification of appropriate traffic mitigation measures to implement the land use plan of the ESP. The Evergreen Specific Plan document identifies the on-site and off-site street improvements necessary to implement development in the Evergreen Planned Residential Community. The off-site improvements required to serve the EPRC, as well the remaining undeveloped lands in the Development Policy area, were identified through a reevaluation and revision of the Evergreen Development Policy in 1991. The revised EDP identifies~~s~~d two major off-site transportation improvements which must occur before the EPRC ~~can~~ could be fully developed: 1) a five mile segment of Capitol Expressway which must be widened to eight lanes (including two HOV lanes) or the equivalent; and, 2) an additional on-ramp and lane from Capitol Expressway to Highway 101. The nature of these improvements is described in, and will be implemented through, the Evergreen Development Policy. The Evergreen Development Policy, was revised in 2008, and re-named the Evergreen-East Hills Development Policy (EEHDP). The Evergreen-East Hills Development Policy provides policy framework for allowing a new "development pool", which constitutes the additional development capacity of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office uses in the EEHDP area. The policy identifies the required transportation system improvements to support this buildout. The Evergreen Development Policy also identifies~~s~~d the flood control improvements that were ~~will be~~ necessary to develop the Evergreen Planned Residential Community. These improvements focus on the three creeks contained in the EPRC. Evergreen Creek is already improved, and the ESP provides for the improvement of both Quimby and Fowler Creeks. Improvements to Quimby and Fowler Creeks will maintain the existing riparian areas in an undisturbed state. The lower reaches of both creek channels will be improved by creating channels where none currently exist and by planting substantial vegetation. Both creeks will carry water to two retention basins designed as lake amenities for the EPRC. These improvements will be supplemented by parallel underground drainage systems which will be used to carry any water above normal runoff and prevent flooding.

4. Amend Chapter V. Land Use/Transportation Diagram, Discretionary Alternate Use Policies, pages 247-248

In areas covered by an Area Development Policy such as North San Jose or Evergreen-East Hills within Specific Plan and Planned Community areas, Discretionary Alternate Use Policies should only be applied in a manner which furthers the implementation o f the goals and strategies of the Area Development Policy or Specific Plan.



REGIONAL MAP FIGURE 1



VICINITY MAP

FIGURE 2

TABLE 1.3-1
ANALYTICAL ASSUMPTIONS FOR DEVELOPMENT THAT WOULD RECEIVE TRAFFIC ALLOCATION UNDER THE PROPOSED REVISION TO THE POLICY

Residential	
Area bounded by Capitol Expressway, Story Road, & U.S. 101	100 dwelling units
Area bounded by Capitol Expressway, Story Road, Tully Road, & East Foothills	64 dwelling units
Area bounded by Capitol Expressway, Tully Road, Aborn Road, & East Foothills	25 dwelling units
Area bounded by Capitol Expressway, U.S. 101, Aborn Road, Yerba Buena Road & East Foothills	236 dwelling units
Area bounded by U.S. 101, Yerba Buena Road, Hellyer Avenue, & East Foothills	75 dwelling units
Total	**500 dwelling units**
Commercial Retail	
Arcadia Property (81-acre site located just south of the Eastridge Shopping Mall, on the west side of Capitol Expressway)	344,000 square feet
Evergreen Valley College Property (27-acre site located near the northeast quadrant of the intersection of Yerba Buena Road & San Felipe Road	100,000 square feet
Vicinity of Quimby Road at White Road	35,000 square feet
Along Story Road	21,000 square feet
Total	**500,000 square feet**
Office	
Arcadia Property (81-acre site located just south of the Eastridge Shopping Mall, on the west side of Capitol Expressway)	25,000 square feet
Vicinity of Quimby Road at White Road	25,000 square feet
Along Story Road	25,000 square feet
Total	**75,000 square feet**

1.4 BACKGROUND AND PURPOSE OF THE PROJECT

In 1976, the San Jose City Council adopted the original Evergreen Development Policy in response to analyses that concluded that transportation and flood protection deficiencies presented substantial constraints to development in Evergreen. The Evergreen Development Policy identified specific programs and policies for correcting these deficiencies. Subsequent to 1976, the Evergreen Development Policy has undergone several revisions whereby specific levels of development were authorized based on the capacity provided by a corresponding package of transportation improvements.

The Evergreen Development Policy was last revised in 1995. The 1995 Evergreen Development Policy, which is still in effect, and a subsequent 1998 ordinance [2], specified that all future projects in the Evergreen area would be required to prepare a traffic analysis and that traffic impacts requiring mitigation would be for either peak hour, defined as follows:

1. An increase in traffic that causes a LOS designation to change; or

2. Residential Projects: The addition of any traffic in an intersection operating at LOS "E" or "F".

   Non-Residential Projects: The addition of more than a one-half percent (½%) increase in critical traffic movement in an intersection operating at LOS "E" or "F".

In 2003, the City determined to undertake a more comprehensive look at the Evergreen • East Hills area, to develop a community-based vision regarding future development and the future character of the area. This led to the creation of the Evergreen Visioning Project Task Force. In 2005, the City Council expanded the task force and the process was renamed the Evergreen • East Hills Vision Strategy (EEHVS). The EEHVS process, which included the preparation of an EIR, analyzed six development scenarios for the Evergreen • East Hills area, as well as a package of transportation and community improvement projects. Among the major items considered were the following:

- General Plan Amendments and Rezonings to allow for the construction of up to 5,700 single- and multi-family dwelling units.
- General Plan Amendments and Rezonings to allow for the construction of up to 500,000 square feet of commercial uses and up to 75,000 square feet of office uses.
- General Plan Amendments and Rezonings to allow for residential land uses to be constructed on lands currently approved for 4.6 million square feet of campus industrial uses.
- Approval of traffic allocation for a "pool" of up to 700 residential dwelling units that could be constructed at various undetermined locations throughout Evergreen • East Hills.
- Approval of a "pool" of 500 peak-hour traffic trips that could be used for miscellaneous non-residential development that could be constructed at various undetermined locations throughout Evergreen • East Hills.

[2]Ordinance 25658, adopted on August 18, 1998.

- Creation of a community facilities district and/or other financing mechanisms to fund a comprehensive program of highway improvement projects and community amenity improvement projects.
- Comprehensive revisions to the Evergreen Development Policy to set forth the requirements for the phasing and implementation of future development and corresponding traffic and community amenity improvement projects.

The EEHVS process included numerous task force meetings and workshops, as well as community meetings, San Jose Planning Commission meetings, and San Jose City Council meetings during the 2005-07 time period.

At its meetings on June 26, 2007and October 16, 2007, the City Council took the following actions related to the Evergreen East Hills Development Policy Update (the relevant City Council synopses can be found at: http://www.sanjoseca.gov/clerk/Agenda/062607/062607s.pdf and at: http://www.sanjoseca.gov/clerk/Agenda/101607/101607s.pdf):

Staff shall include parameters in the Policy Update which call out when additional development beyond 500 residential units, 500,000 square feet of commercial, and 75,000 square feet of office can be considered. Such parameters include, when 11,600 jobs on the lands designated for campus industrial uses have begun to be achieved, through a 2:1 jobs/housing ratio, according to staff's proposed schedule, and there is a voluntary and legally binding agreement offering the completion of significant transportation improvements and amenities for that phase. A maximum of 3,900 residential dwelling units could be "phased in relation to job creation," consistent with Scenario VI of the EEHVS EIR.

The proposed revision to the Evergreen Development Policy that is described above in Section 1.3 is intended to comply with the objectives and direction established by the City Council.

1.5 ENVIRONMENTAL IMPACTS TO BE ANALYZED IN THE SEIR

This Supplement to the EEHVS EIR (SEIR) has been prepared for the purpose of analyzing and disclosing the environmental impacts of the proposed revision to the Evergreen Development Policy to provide traffic allocation for 1) a pool of 500 residential dwelling units, 2) 500,000 square feet of commercial retail space, and 3) 75,000 square feet of office space.

Since the proposed revision to the Evergreen Development Policy will be limited to the subject of traffic capacity, the analysis of impacts in this SEIR will be limited to traffic, as well as traffic-related noise and air quality. In addition, the contribution the proposed traffic allocation will make to global climate change will be discussed. In terms of CEQA, this means that the SEIR will only provide CEQA clearance for the proposed traffic capacity, and traffic-related noise and air quality impacts. Subsequent analysis under CEQA will be required for all non-traffic topics at the time the City receives a specific development proposal. The City may, however, determine that no further CEQA analysis is necessary ***if***:

- The proposed development complies with the revised Evergreen Development Policy, and
- The proposed development is located on one of the five "opportunity" sites[3] addressed in the EEHVS EIR, and
- The proposed uses have environmental effects that are determined by the City to be consistent with those already disclosed in the EEHVS EIR.

1.6 USES OF THE SEIR

This SEIR provides decision makers in the City of San José and the general public with relevant environmental information to use in considering the proposed project. It is proposed that this SEIR be used for appropriate project-specific discretionary approvals necessary to implement the project, as proposed. These discretionary actions include the following:

- City-sponsored revision to the Evergreen Development Policy to allow traffic from proscribed development

- Establishment of Traffic Impact Fee

- Construction of Improvements Funded by Traffic Impact Fee

[3]The five "opportunity sites" addressed in the EEHVS EIR are as follows: 1) the 81-acre Arcadia Property, 2) the 114-acre Pleasant Hills Golf Course Property, 3) the 200-acre Berg/IDS Property, 4) the 120-acre Legacy Partners Property, and 5) the 27-acre Evergreen Valley College Property.

SECTION 2.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

In accordance with Section 15163 of the CEQA Guidelines, the discussion in this SEIR is focused on the significant effects on the environment resulting from the proposed revision to the Evergreen Development Policy (Policy), as it was evaluated in the previously certified Evergreen • East Hills Vision Strategy Project EIR (SCH 2005102007). Since the proposed project would revise the Evergreen Development Policy to provide traffic allocation only, this SEIR focuses on the traffic impacts of the proposed Evergreen Development Policy change, as well as the secondary effects of traffic, such as noise and air quality.

The mitigation measures that are appropriate to the types of approvals being considered differ in terms of their specificity and degree of entitlement and enforceability. "Mitigation Measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines 15370). While CEQA requires that mitigation measures should be "fully enforceable," it also acknowledges that impacts from adoption of a plan or policy can best be mitigated by measures incorporated into the plan or policy [Guidelines §15126.4(a)(2)].

Measures that are required by law or are City standard conditions of approval are characterized as "Standard Measures." Measures that are proposed by the applicant that will further reduce or avoid already less than significant impacts are characterized as "Avoidance Measures."

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

Table 2.0-1
Letter Codes of Environmental Issues

Letter Code	Environmental Issue
AIR	Air Quality
NOI	Noise
TRAN	Transportation

2.1 TRANSPORTATION

This section is based primarily upon a July 2008 traffic report prepared by *Hexagon Transportation Consultants, Inc.,* for the proposed project. The report is included in Appendix B of this SEIR.

2.1.1 Existing Setting

2.1.1.1 *Existing Roadway Network*

The EDP area is served by a system of roadways that includes freeways and an expressway, as well as city streets consisting of arterials, collectors, and local streets. A brief description of each of the primary roadways is presented below; the roadways are also shown on Figure 3.

Freeways

- U.S. 101, which is one of the principal north-south highways in California, is a major north-south freeway in the greater San Francisco Bay Area. U.S. 101 is the primary freeway that provides access to/from the EDP area. In San José, the freeway is generally four lanes in each direction, three of which are mixed-flow and one of which is restricted to high occupancy vehicle (HOV) use during weekday peak AM and PM commute periods. Existing interchanges on U.S. 101 in the Evergreen area are located at I-280/I-680, Story Road, Tully Road, Capitol Expressway, Yerba Buena Road, and Hellyer Avenue.

- I-280/I-680 is a major freeway in the greater San Francisco Bay Area. It is known as I-280 west of U.S. 101 and I-680 east of U.S. 101. While not located within the boundaries of the EDP, I-280/I-680 provides regional access to Evergreen via interchanges at U.S. 101, King Road, Jackson Avenue, and Capitol Expressway.

Expressways

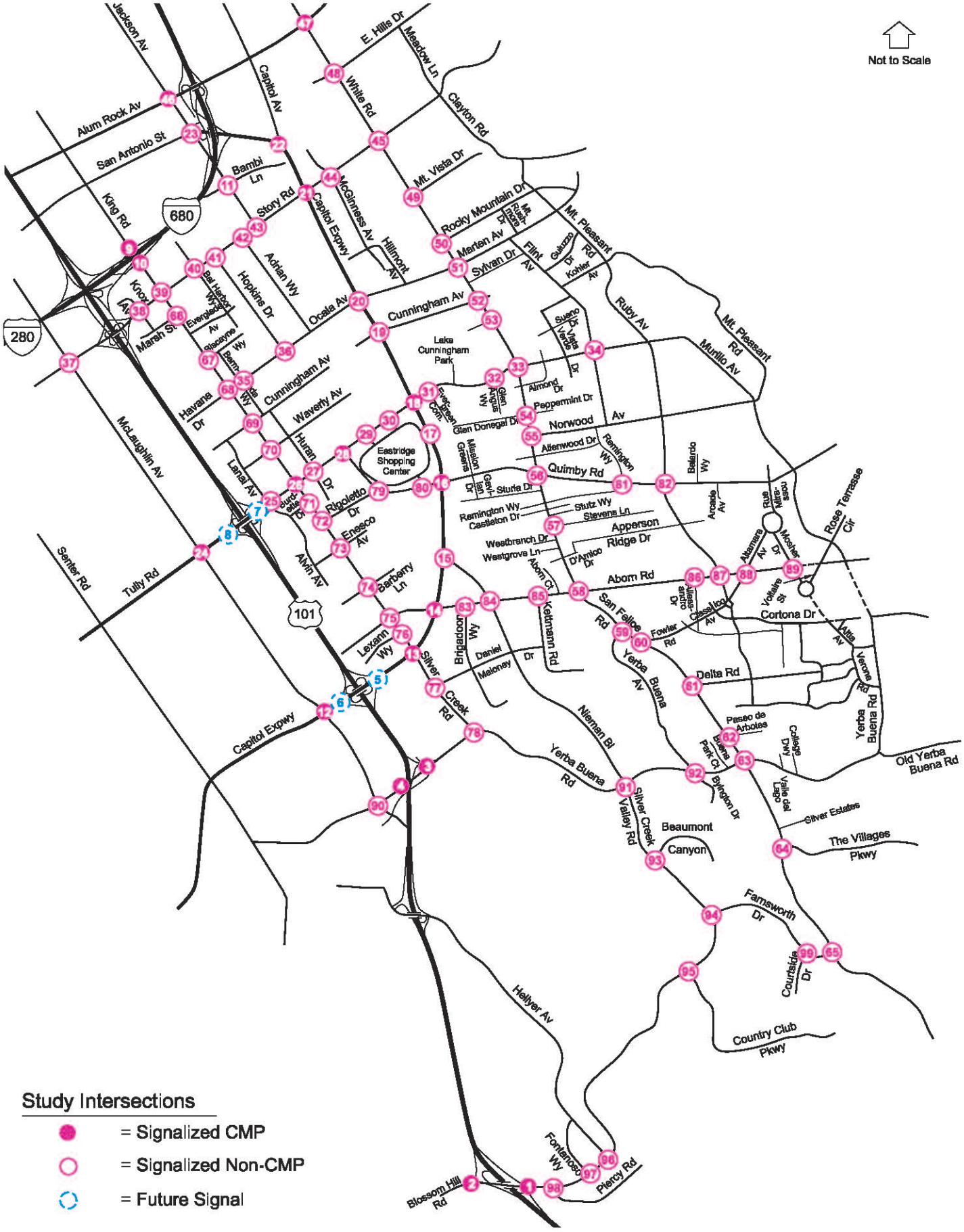
- Capitol Expressway is a limited-access facility that extends from State Route 87 to I-680. It is generally four lanes in each direction (three mixed-flow plus one HOV). Within Evergreen, Capitol Expressway provides connections to major local roadways via signalized intersections at Story Road, Ocala Avenue, Cunningham Avenue, Tully Road, Quimby Road, Nieman Boulevard, Aborn Road, and Silver Creek Road.

Arterials

- Story Road is an east-west arterial that extends along the northerly boundary of the EDP area. It includes an interchange with U.S. 101.

- Ocala Avenue/Marten Avenue is an east-west arterial that extends from U.S. 101 on the west to Mount Pleasant Road on the east.

- Tully Road is an east-west arterial that extends through the central part of Evergreen. It includes an interchange with U.S. 101. East of Mount Pleasant Road, Tully Road is designated as a major collector.



ROADWAY NETWORK AND STUDY INTERSECTIONS FIGURE 3

- Quimby Road is an east-west arterial that extends from Tully Road on the west to Murillo Avenue on the east.

- Aborn Road is an east-west arterial that extends from King Road on the west to Murillo Avenue on the east.

- Yerba Buena Road is an east-west arterial between Senter Road on the west and San Felipe Road on the east. It includes an interchange with U.S. 101. East of San Felipe Road, Yerba Buena Road is designated as a major collector.

- King Road/Silver Creek Road is a north-south arterial that extends through all of the eastern portion of San José, including the EDP area. North of Aborn Road, this arterial is named King Road. South of Aborn Road, it is named Silver Creek Road.

- White Road/San Felipe Road is a north-south arterial that extends through all of the eastern portion of San José, including the Evergreen area. North of Aborn Road, this arterial is named White Road. South of Aborn Road, it is named San Felipe Road.

- Silver Creek Valley Road is a north-south arterial that extends from Yerba Buena Road on the north to U.S. 101 on the south. North of Yerba Buena Road, this arterial becomes Nieman Boulevard. Just north of its intersection with Terrena Valley Drive, the designation for Nieman Boulevard changes from arterial to major collector.

2.1.1.2 *Existing Traffic Operations*

Analysis Methodologies and Level of Service Standards

In San José, the description of traffic congestion is based on the "level of service" concept developed by the National Academy of Sciences and described in the Highway Capacity Manual. Level of Service is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays.

Project impacts were evaluated following the standards adopted by the City of San Jose for the current Evergreen Development Policy and the Citywide Transportation Impact Policy. The study also follows the Santa Clara Valley Transportation Authority (VTA) Congestion Management Program (CMP) guidelines. For intersections, LOS definitions are based on average control delay; see Table 2.1.1. The CMP freeway segment level of service analysis is based on vehicle density; see Table 2.1.2.

This SEIR evaluates traffic impacts using three different standards, or thresholds of significance: 1) the Citywide Transportation Impact Policy LOS standard; 2) the CMP standard; and 3) the proposed Evergreen • East Hills Development Policy (revised Evergreen Development Policy) standard. The Citywide and CMP standards are used to provide consistency with the certified FEIR, which evaluated traffic based on the citywide and CMP standards because the previous project proposed to

change the level of service impact criteria to the citywide standards. The citywide and CMP standards also provide context to how traffic is evaluated in other areas of the city. The CMP standard is used for CMP intersections, in addition to the citywide standard. The proposed Evergreen • East Hills Development Policy standard is a more stringent threshold of significance than the Citywide Transportation Policy standard.

Table 2.1-1
Signalized Intersection Level of Service Definitions

Level of Service	Description of Operations	Average Control Delay* (seconds/vehicle)
A	Insignificant Delays: No approach phase is fully utilized and no vehicle waits longer than one red indication.	≤ 10
B	Minimal Delays: An occasional approach phase is fully utilized. Drivers begin to feel restricted.	> 10 to 20
C	Acceptable Delays: Major approach phase may become fully utilized. Most drivers feel somewhat restricted.	> 20 to 35
D	Tolerable Delays: Drivers may wait through no more than one red indication. Queues may develop but dissipate rapidly, without excessive delays.	> 35 to 55
E	Significant Delays: Volumes approaching capacity. Vehicles may wait through several signal cycles and long vehicle queues from upstream.	> 55 to 80
F	Excessive Delays: Represents conditions at capacity, with extremely long delays. Queues may block upstream intersections.	> 80

Note: * Average Control Delay includes the time for initial deceleration delay, queue move-up time, stopped delay, and final acceleration. Source: Highway Capacity Manual, Transportation Research Board, 2000.

Existing Peak Hour Intersection Operations

Based upon City of San Jose and CMP selection criteria, the traffic analysis prepared for this SEIR evaluated AM and PM peak hour levels of service for 95 signalized intersections. Any intersection that could potentially have a significant impact due to the project, based on either the Evergreen Development Policy or the City's Transportation Impact Policy, were assessed. The existing LOS of the study intersections is shown in Table 2.1-3.

The City's Transportation Impact Policy (City Council Policy 5-3) states that the minimum overall performance of City streets during peak travel periods should be level of service "D." The AM peak hour of traffic is generally between 7:00 AM and 9:00 AM, and the PM peak hour is between 4:00 PM and 6:00 PM. It is during these periods that the most congested traffic conditions occur on an average weekday.

The VTA oversees the Santa Clara County CMP. The minimum acceptable LOS for CMP designated intersections is LOS E.

As shown in Table 2.1-3, all of the study intersections operate at an acceptable level of service, in conformance with the City of San Jose and CMP policies, under existing conditions.

Table 2.1-2
Freeway Level of Service Definitions Based on Density

Level of Service	Description	Density (vehicles/ mile/lane)
A	Average operating speeds at the free-flow speed generally prevail. Vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream.	0-11
B	Speeds at the free-flow speed are generally maintained. The ability to maneuver within the traffic stream is only slightly restricted, and the general level of physical and psychological comfort provided to drivers is still high.	>11-18
C	Speeds at or near the free-flow speed of the freeway prevail. Freedom to maneuver within the traffic stream is noticeably restricted, and lane changes require more vigilance on the part of the driver.	>18-26
D	Speeds begin to decline slightly with increased flows at this level. Freedom to maneuver within the traffic stream is more noticeably limited, and the driver experiences reduced physical and psychological comfort levels.	>26-46
E	At this level, the freeway operates at or near capacity. Operations in this level are volatile, because there are virtually no usable gaps in the traffic stream, leaving little room to maneuver within the traffic stream.	>46-58
F	Vehicular flow breakdowns occur. Large queues form behind breakdown points.	>58

Source: Transportation Research Board, Highway Capacity Manual (2000) Washington, D.C.

Existing Peak Hour Freeway Operations

The LOS for freeway segments is estimated based on vehicle density, considering vehicles per mile per lane (vpmpl), peak hour volume in vehicles per hour (vph), number of travel lanes, and average travel speed in miles per hour (mph). Freeway LOS criteria are summarized in Table 2.1-2. The CMP defines an acceptable level of service for freeway segments as LOS E or better.

The traffic analysis evaluated existing peak hour levels of service for 12 freeway segments. The existing freeway traffic volumes were obtained from the 2006 CMP Annual Monitoring Report. The existing freeway LOS are shown in Table 2.1-4.

TABLE 2.1-3
INTERSECTION LEVELS OF SERVICE - EXISTING & BACKGROUND CONDITIONS

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS
1	US 101 and Blossom Hill (E)*	AM	27.8	C	44.0	D
		PM	32.1	C	64.0	E
2	US 101 and Blossom Hill (W)*	AM	17.7	B	17.2	B
		PM	21.9	C	33.9	C
3	US 101 and Yerba Buena Road (E)*	AM	12.7	B	13.8	B
		PM	16.0	B	34.0	C
4	US 101 and Yerba Buena Road (W)*	AM	25.8	C	35.9	D
		PM	26.4	C	29.1	C
9	King Road and I-680 (N)*	AM	26.5	C	28.0	C
		PM	34.5	C	36.6	D
10	King Road and I-680 (S)*	AM	17.7	B	21.6	C
		PM	34.0	C	36.8	D
11	Jackson Avenue and I-680 NB off-ramp	AM	33.3	C	36.0	D
		PM	32.6	C	32.5	C
12	McLaughlin Avenue and Capitol Expwy*	AM	46.1	D	46.9	D
		PM	44.9	D	48.6	D
13	Silver Creek Rd and Capitol Expwy*	AM	60.3	E	50.8	D
		PM	52.4	D	51.5	D
14	Capitol Expwy and Aborn Road*	AM	41.9	D	39.8	D
		PM	48.0	D	50.2	D
15	Capitol Expwy and Nieman Blvd	AM	11.5	B	40.8	D
		PM	23.5	C	27.0	C
16	Capitol Expwy and Quimby Road*	AM	42.8	D	45.8	D
		PM	57.0	E	77.8	E
17	Capitol Expwy and Eastridge	AM	6.5	A	8.5	A
		PM	9.1	A	12.4	B
18	Capitol Expwy and Tully Road*	AM	40.3	D	37.3	D
		PM	41.5	D	45.4	D
19	Capitol Expwy and Cunningham Av	AM	11.7	B	11.9	B
		PM	8.8	A	9.3	A
20	Capitol Expwy and Ocala Avenue	AM	49.7	D	53.8	D
		PM	47.9	D	51.9	D
21	Capitol Expwy and Story Road*	AM	60.0	E	53.8	D
		PM	54.9	D	53.6	D
22	Capitol Expwy and Capitol Av*	AM	24.9	C	25.3	C
		PM	55.6	E	53.1	D
23	Jackson Avenue and Capitol Expwy	AM	31.2	C	31.5	C
		PM	31.1	C	31.3	C
24	McLaughlin Avenue and Tully Road*	AM	42.6	D	43.0	D
		PM	54.3	D	61.0	E
25	Alvin Avenue and Tully Road	AM	32.7	C	33.4	C
		PM	44.1	D	43.4	D
26	King Road and Tully Road*	AM	38.9	D	39.8	D
		PM	48.6	D	50.1	D
27	Huran Drive and Tully Road	AM	24.3	C	27.5	C
		PM	22.2	C	25.8	C
28	Quimby Road and Tully Road*	AM	34.4	C	34.0	C
		PM	45.1	D	46.7	D
29	Eastridge Way and Tully Road	AM	9.6	A	11.4	B
		PM	17.2	B	18.4	B
30	Eastridge Lane and Tully Road	AM	4.2	A	4.5	A
		PM	8.8	A	9.3	A
31	Evergreen Commons and Tully Road	AM	8.6	A	9.6	A
		PM	11.1	B	11.7	B
32	Glen Angus Way and Tully Road	AM	15.3	B	15.1	B
		PM	10.5	B	10.8	B
33	White Road and Tully Road	AM	39.7	D	43.0	D
		PM	38.2	D	38.5	D
34	Flint Avenue and Tully Road	AM	23.8	C	25.1	C
		PM	25.5	C	25.9	C
35	Bermuda Way and Ocala Avenue	AM	15.6	B	15.5	B
		PM	13.8	B	13.4	B

Notes:
* Denotes CMP Intersection

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS
36	Hopkins Drive and Ocala Avenue	AM	18.4	B	18.3	B
		PM	20.7	C	20.5	C
37	McLaughlin Avenue and Story Road	AM	39.6	D	40.8	D
		PM	46.2	D	46.9	D
38	Knox Avenue and Story Road	AM	29.6	C	30.5	C
		PM	21.7	C	21.6	C
39	King Road and Story Road	AM	43.8	D	41.4	D
		PM	47.3	D	46.2	D
40	Bal Harbor Way and Story Road	AM	28.1	C	28.0	C
		PM	24.4	C	23.4	C
41	Hopkins Drive and Story Road	AM	24.5	C	24.2	C
		PM	25.6	C	24.9	C
42	Adrian Way and Story Road	AM	18.5	B	18.5	B
		PM	24.8	C	24.9	C
43	Jackson Avenue and Story Road	AM	26.2	C	26.1	C
		PM	34.7	C	35.1	D
44	McGinness Avenue and Story Road	AM	23.5	C	23.6	C
		PM	25.0	C	26.3	C
45	White Road and Story Road	AM	43.7	D	45.4	D
		PM	46.0	D	45.7	D
46	Jackson Avenue and Alum Rock Avenue*	AM	31.4	C	33.9	C
		PM	35.7	D	37.3	D
47	White Road and Alum Rock Avenue*	AM	50.3	D	53.7	D
		PM	43.8	D	43.8	D
48	White Road and East Hills Drive	AM	26.8	C	26.2	C
		PM	22.8	C	22.7	C
49	White Road and Mt. Vista Drive	AM	11.7	B	11.0	B
		PM	13.8	B	12.7	B
50	White Road and Rocky Mountain Drive	AM	4.1	A	3.6	A
		PM	3.1	A	3.0	A
51	White Road and Ocala Avenue	AM	33.0	C	29.2	C
		PM	30.2	C	29.5	C
52	White Road and Cunningham Avenue	AM	13.2	B	12.4	B
		PM	14.0	B	12.2	B
53	White Road and Lake Cunningham	AM	6.4	A	6.0	A
		PM	4.0	A	6.7	A
54	White Road and Glen Donegal Drive	AM	16.6	B	14.5	B
		PM	14.6	B	12.7	B
55	White Road and Norwood Avenue	AM	13.0	B	11.5	B
		PM	13.9	B	13.1	B
56	White Road and Quimby Road	AM	37.3	D	41.9	D
		PM	40.2	D	45.7	D
57	White Road and Stevens Lane	AM	12.3	B	10.5	B
		PM	11.5	B	9.9	A
58	White Road and Aborn Road	AM	37.5	D	42.8	D
		PM	42.1	D	44.4	D
59	San Felipe Rd and Yerba Buena Ave (N)	AM	18.4	B	18.4	B
		PM	8.4	A	8.3	A
60	San Felipe Road and Fowler Road	AM	19.7	B	19.7	B
		PM	9.7	A	10.6	B
61	San Felipe Road and Delta Road	AM	19.8	B	20.0	B
		PM	14.2	B	14.2	B
62	San Felipe Road and Paseo de Arboles	AM	11.6	B	10.8	B
		PM	13.9	B	13.2	B
63	San Felipe Rd and Yerba Buena Rd (S)	AM	32.9	C	78.3	E
		PM	34.2	C	105.5	F
64	San Felipe Rd and The Village Parkway	AM	16.4	B	16.3	B
		PM	16.3	B	15.9	B
65	San Felipe Road and Farnsworth Drive	AM	16.0	B	15.4	B
		PM	13.1	B	13.6	B
66	King Road and Marsh Street	AM	9.8	A	9.5	A
		PM	8.2	A	8.0	A
67	King Road and Biscayne Way	AM	11.4	B	11.8	B
		PM	10.1	B	11.1	B

Notes:
* Denotes CMP Intersection

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS
68	King Road and Havana Dr/Ocala	AM	37.4	D	37.7	D
		PM	35.2	D	35.7	D
69	King Road and Cunningham Avenue	AM	19.4	B	19.8	B
		PM	13.0	B	14.5	B
70	King Road and Waverly Avenue	AM	21.2	C	21.1	C
		PM	17.0	B	17.1	B
71	King Road and Burdette Drive	AM	12.0	B	12.4	B
		PM	16.0	B	15.9	B
72	King Road and Rigoletto Drive	AM	14.9	B	14.8	B
		PM	15.3	B	15.3	B
73	King Road and Enesco Avenue	AM	12.6	B	12.3	B
		PM	12.5	B	12.3	B
74	King Road and Barberry Lane	AM	13.8	B	13.9	B
		PM	6.3	A	6.3	A
75	King Road and Aborn Road	AM	22.7	C	24.5	C
		PM	26.7	C	28.8	C
76	Silver Creek Road and Lexann Avenue	AM	14.5	B	19.0	B
		PM	26.8	C	29.5	C
77	Silver Creek Rd and Daniel Maloney Dr	AM	25.7	C	25.3	C
		PM	20.2	C	20.7	C
78	Silver Creek Rd and Yerba Buena Rd	AM	20.6	C	20.0	C
		PM	21.4	C	23.8	C
79	Quimby Road and Rigoletto Drive	AM	31.3	C	33.7	C
		PM	34.6	C	35.8	D
80	Eastridge Blvd and Quimby Road	AM	15.8	B	16.6	B
		PM	23.1	C	23.7	C
81	Remington Way and Quimby Road	AM	18.5	B	19.4	B
		PM	14.5	B	16.4	B
82	Ruby Avenue and Quimby Road	AM	31.7	C	32.4	C
		PM	28.5	C	31.1	C
83	Brigadoon Way and Aborn Road	AM	7.8	A	6.1	A
		PM	10.1	B	10.0	B
84	Nieman Boulevard and Aborn Road	AM	27.7	C	45.2	D
		PM	31.2	C	31.7	C
85	Kettman Road and Aborn Road	AM	20.1	C	16.9	B
		PM	19.0	B	29.1	C
86	Alessandro Drive and Aborn Road	AM	20.2	C	14.5	B
		PM	14.4	B	8.7	A
87	Ruby Avenue and Aborn Road	AM	23.6	C	19.9	B
		PM	22.8	C	20.8	C
88	Altamara Avenue and Aborn Road	AM	28.9	C	22.4	C
		PM	24.8	C	13.7	B
89	Mosher Drive and Aborn Road	AM	13.7	B	4.0	A
		PM	14.6	B	3.3	A
90	McLaughlin Avenue and Yerba Buena Road	AM	22.9	C	22.9	C
		PM	26.0	C	26.0	C
91	Nieman Blvd and Yerba Buena Road	AM	33.2	C	51.4	D
		PM	30.0	C	26.3	C
92	Byington Drive and Yerba Buena Road	AM	13.1	B	12.0	B
		PM	10.1	B	20.5	C
93	Silver Creek Valley Rd and Beaumont Canyon Dr	AM	15.8	B	14.5	B
		PM	19.7	B	18.1	B
94	Silver Creek Valley Rd and Farnsworth Dr	AM	20.0	C	21.4	C
		PM	25.6	C	23.7	C
95	Silver Creek Valley and Country Club Pkwy	AM	17.1	B	16.6	B
		PM	11.3	B	12.5	B
96	Hellyer Rd and Silver Creek Valley Rd	AM	27.5	C	45.5	D
		PM	30.4	C	35.7	D
97	Fontanoso Wy and Silver Creek Valley Rd	AM	16.8	B	23.6	C
		PM	14.7	B	28.1	C
98	Piercy Rd and Silver Creek Valley Rd	AM	9.3	A	7.7	A
		PM	17.3	B	21.0	C
99	Courtside Drive and Farnsworth Drive	AM	20.0	C	20.0	C
		PM	14.5	B	14.5	B

Notes:
* Denotes CMP Intersection

TABLE 2.1-4
EXISTING FREEWAY LEVEL OF SERVICE

						Mixed-Flow Lanes					HOV Lane Traffic Volume				
Freeway	Segment			Direction	Peak Hour	Ave. Speed/a/	# of Lanes	Volume/a/	Density	LOS	Ave. Speed/a/	# of Lanes	Volume/a/	Density	LOS
US 101	Hellyer Ave	to	Yerba Buena Rd	NB	AM	27	3	5,590	69.0	F	38	1	2,050	53.9	E
					PM	64	3	6,140	32.0	D	67	1	540	8.1	A
US 101	Yerba Buena Rd	to	Capitol Expwy	NB	AM	24	3	5,400	75.0	F	64	1	2,110	33.0	D
					PM	66	3	3,960	20.0	C	67	1	740	11.0	B
US 101	Capitol Expwy	to	Tully Rd	NB	AM	19	3	4,790	84.0	F	40	1	2,080	52.0	E
					PM	66	3	4,750	24.0	C	67	1	470	7.0	A
US 101	Tully Rd	to	Story Rd	NB	AM	41	3	6,270	51.0	E	62	1	2,170	35.0	D
					PM	66	3	4,750	24.0	C	67	1	540	8.1	A
US 101	Story Rd	to	I-280	NB	AM	66	3	4,750	24.0	C	66	1	1,850	28.0	D
					PM	67	3	2,810	14.0	B	67	1	470	7.0	A
US 101	I-280	to	Santa Clara St	NB	AM	18	3	4,700	87.0	F	13	1	1,370	105.4	F
					PM	66	3	3,960	20.0	C	67	1	870	13.0	B
US 101	Santa Clara St	to	I-280	SB	AM	67	3	3,420	17.0	B	67	1	400	6.0	A
					PM	16	3	4,460	92.9	F	32	1	1,950	60.9	F
US 101	I-280	to	Story Rd	SB	AM	67	3	2,410	12.0	B	67	1	470	7.0	A
					PM	20	3	4,920	82.0	F	57	1	2,220	38.9	D
US 101	Story Rd	to	Tully Rd	SB	AM	66	3	4,950	25.0	C	67	1	470	7.0	A
					PM	15	3	4,410	98.0	F	54	1	2,210	40.9	D
US 101	Tully Rd	to	Capitol Expwy	SB	AM	66	3	4,750	24.0	C	67	1	940	14.0	B
					PM	35	3	6,090	58.0	E	66	1	1,780	27.0	D
US 101	Capitol Expwy	to	Yerba Buena Rd	SB	AM	66	3	3,960	20.0	C	67	1	800	11.9	B
					PM	66	3	4,550	23.0	C	67	1	1,210	18.1	C
US 101	Yerba Buena Rd	to	Hellyer Ave	SB	AM	66	3	4,360	22.0	C	67	1	1,010	15.1	B
					PM	66	3	5,350	27.0	D	67	1	1,140	17.0	B
I-280	SR 87	to	10th St	EB	AM	66	4	5,540	21.0	C	--	--	--	--	--
					PM	25	4	7,300	73.0	F	--	--	--	--	--
I-280	10th St	to	McLaughlin Ave	EB	AM	65	4	8,060	31.0	D	--	--	--	--	--
					PM	54	4	8,860	41.0	D	--	--	--	--	--
I-280	McLaughlin Ave	to	US 101	EB	AM	66	4	6,860	26.0	C	--	--	--	--	--
					PM	66	4	7,390	28.0	D	--	--	--	--	--
I-280	US 101	to	McLaughlin Ave	WB	AM	6	4	3,310	137.9	F	--	--	--	--	--
					PM	65	4	8,060	31.0	D	--	--	--	--	--
I-280	McLaughlin Ave	to	10th St	WB	AM	12	4	5,230	109.0	F	--	--	--	--	--
					PM	65	4	7,800	30.0	D	--	--	--	--	--
I-280	10th St	to	SR 87	WB	AM	25	4	7,300	73.0	F	--	--	--	--	--
					PM	66	4	7,130	27.0	D	--	--	--	--	--
I-680	US 101	to	King Rd	NB	AM	66	4	5,540	21.0	C	--	--	--	--	--
					PM	66	4	6,860	26.0	C	--	--	--	--	--
I-680	King Rd	to	Capitol Expwy	NB	AM	39	4	8,270	50.5	E	--	--	--	--	--
					PM	63	4	8,570	32.4	D	--	--	--	--	--
I-680	Capitol Expwy	to	Alum Rock Ave	NB	AM	19	4	6,380	83.9	F	--	--	--	--	--
					PM	66	4	6,340	24.0	C	--	--	--	--	--
I-680	Alum Rock Ave	to	Capitol Expwy	SB	AM	13	4	5,410	104.0	F	--	--	--	--	--
					PM	64	4	8,450	33.0	D	--	--	--	--	--
I-680	Capitol Expwy	to	King Rd	SB	AM	11	4	5,420	112.0	F	--	--	--	--	--
					PM	66	4	6,390	22.0	C	--	--	--	--	--
I-680	King Rd	to	US 101	SB	AM	8	4	4,100	128.1	F	--	--	--	--	--
					PM	66	4	5,540	21.0	C	--	--	--	--	--

/a/ Source: Santa Clara Valley Transportation Authority Congestion Management Program Monitoring Study, 2006.

2.1.2 Background Conditions

Background traffic volumes represent the existing volumes plus the projected volumes from approved and planned developments that have not yet been constructed and occupied. The City of San Jose provided an Approved Trips Inventory (ATI) for this project. The background scenario includes the approved 4.66 million square feet of campus industrial development in Evergreen on the Legacy and Berg/IDS Sites. Also included the background conditions is the 446 residential units of remaining residential allocation established in the existing Evergreen Development Policy which has not been built out to date, most notably 217 residential units on the Arcadia property.

Background conditions also includes committed roadway and transit improvements that are planned to occur, irrespective of the proposed Evergreen Development Policy revision. The committed roadway and transit improvements in the Evergreen Development Policy area are listed in Table 2.1-5.

TABLE 2.1-5

PLANNED ROADWAY AND TRANSIT IMPROVEMENTS ASSUMED TO BE IN PLACE UNDER BACKGROUND CONDITIONS

Location	Description
Capitol Expressway Corridor	Construct LRT extension from Alum Rock Station to Nieman Station; remove HOV lanes on Capitol Expwy. between Nieman Blvd. and I-680.
Capitol Expressway/Aborn Road Intersection	Add 2nd eastbound left-turn lane and 3rd westbound left-turn lane.
Capitol Expressway/Story Road Intersection	Add 3rd eastbound thru-lane and 2nd westbound left-turn lane.
U.S. 101/Blossom Hill Road Interchange	Reconfigure and expand capacity of interchange.
White Road/Story Road Intersection	Add 2nd southbound left-turn lane.
King Road/Story Road Intersection	Add 2nd northbound left-turn lane, 2nd southbound left-turn lane, and a separate northbound right-turn lane.
White Road/Ocala Avenue Intersection	Add separate westbound right-turn lane.
Aborn Road/Kettman Road Intersection	Add southbound approach (library driveway) with one left-turn lane and one shared thru/right-turn lane.

The intersection improvements listed in this table are committed projects that will be constructed either as part of the City's Capitol Improvement Program, or as a condition of approval of an approved project.

The Capitol Corridor LRT Project listed in this table is an approved VTA project, with the Year 2000 Measure A Sales Tax Program identified as the primary funding source. In the event construction of the LRT project is delayed, the traffic impacts of the proposed Evergreen Development Policy revision would be less than shown in this SEIR. This statement is based on the fact that the LRT project will remove two traffic lanes from Capitol Expressway and that the traffic analysis assumes no reduction in auto trips, due to the availability of LRT as an alternate mode of travel.

2.1.2.1 *Background Traffic Operations*

Background Peak Hour Intersection Operations

Intersection levels of service under Background Conditions are shown in Table 2.1-3. As shown in Table 2.1-3, the addition of approved trip traffic causes one intersection, San Felipe Road/Yerba Buena Road (S) to degrade to an unacceptable LOS E and F during the AM and PM peak hours, respectively. All other intersections continue to operate at an acceptable LOS under City and CMP policies, under Background Conditions.

2.1.3 Transportation Impacts

The impacts of the traffic allocation allowed by the proposed Evergreen Development Policy revision were calculated for AM and PM peak hour conditions on 95 study area intersections and 12 freeway segments. The AM and PM peak hour traffic impacts are analyzed in this SEIR, because they represent the hours with the highest traffic volumes and, therefore, greatest levels of congestion.[4]

2.1.3.1 *Thresholds of Significance*

Significance criteria are used to establish what constitutes an impact. For this analysis there are three sets of relevant criteria for impacts at intersections. These are based on (1) the level of service standards contained in the Evergreen Development Policy, as revised by the project to the proposed Evergreen-East Hills Development Policy; (2) the City of San Jose Citywide level of service standards, and (3) the CMP level of service standards. For comparison purposes, the existing Evergreen Development Policy Definition of Significant Impacts is provided below, although it is *not* the basis for determining impact significance in this EIR traffic analysis.

Existing Evergreen Development Policy Definition of Significant Intersection Impacts

The Evergreen Development Policy states that a project is said to create a significant adverse impact on traffic conditions at a signalized intersection located in the Evergreen area if for either peak hour:

1. The level of service at the intersection degrades to a worse level of service with the addition of project traffic, or

2. The level of service at the intersection is an unacceptable LOS E or F under background conditions, and the addition of project traffic adds more than a one-half percent (0.5%) increase in the critical traffic volume at the intersection for a non-residential project. The significance threshold for a residential project is *one or more added trips* to an intersection operating at LOS E or F.

[4] In the First Amendment to the DEIR for the EEHVS Project (Comment 22-J), a comment was raised requesting analysis of weekend daytime (Saturday and Sunday, 10:00 AM to 8:00 PM) traffic. In response to the comment (Response 22-J), weekend traffic counts were conducted at key signalized intersections near significant retail development. Based on those counts, peak weekend levels of service were comparable to those occurring during weekday peaks.

Under the existing Evergreen Development Policy, a significant impact is said to be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

The proposed Evergreen-East Hills Development Policy definition of Significant Intersection Impacts is as follows:

Proposed Evergreen-East Hills Development Policy
Definition of Significant Intersection Impacts

The project proposes a revision to the existing Evergreen Development Policy standards, which would be applicable to seventy-eight of the ninety-five study intersections which are located within the Evergreen area. The proposed EEHD Policy standards are described below.

In place of the citywide Level of Service (LOS) Standard, the EEHD Policy, which is a revision of the Evergreen Development Policy, provides traffic capacity for a 'Development Pool' of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office at undetermined locations within the Evergreen-East Hills Area (defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends) and the corresponding transportation infrastructure improvements. The Evergreen-East Hills Development Policy utilizes the Existing Evergreen Development Policy's traffic impact criteria but allows some decreased vehicular traffic level of service, while maintaining an average of LOS D or better when vehicular traffic improvements unacceptably conflict with other modes of travel or biological resources.

Impact Criteria. A project is said to create a significant adverse impact on traffic conditions at a signalized intersection located in the Development Policy Area if for during peak hours:

1. The level of service at the intersection degrades to a worse letter grade level of service, or

2. a) For non-residential projects, the level of service at the intersection is an unacceptable Level of Service E or F and the addition of project traffic adds more than a one-half percent (0.5%) increase in the critical traffic volume at the intersection.
   b) For residential projects, one or more added trips to an intersection operating at an unacceptable Level of Service E or F.

Unacceptable Levels of Service are intersections functioning at Level of Service E or F under "background" conditions. Background conditions are the traffic conditions that take into account the build out of already approved trips through the Original Evergreen Development Policy, existing buildings, and projects with existing entitlements. A significant impact can be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

Exemption. However an impact will not require mitigation under the following conditions:

1. The Intersection will continue to operate at LOS D or better, and

2. The improvement(s) necessary to improve conditions to background conditions create undesirable conflicts with other modes of travel or have unacceptable impacts on Biological Resources, and

3. The development causing the impact is within the scope of the Development Pool.

The Development Pool, as its distribution is assumed in the Traffic Analysis, is anticipated to cause the level of service to degrade to a worse letter grade (but not worse than LOS D), at the following three intersections:

1. Capitol Expwy and Nieman Blvd;
2. San Felipe Rd and Yerba Buena Ave (North);
3. San Felipe Rd and Delta Rd
4. Evergreen Commons and Tully Road

At each of three intersections numbered 1-3 above, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel in that:

- At the intersection of Capitol Expressway and Nieman Boulevard, the improvement required to improve conditions to background conditions include adding a second westbound right-turn lane. Double-right turn lanes are considered a design which is less desirable, as they increase the likelihood of pedestrian conflicts.
- At the San Felipe Rd and Yerba Buena Ave (North) intersection, the improvement required to improve conditions to background conditions includes adding an exclusive southbound right-turn lane. As noted above, double right-turn lanes are considered less desirable, as they increase the likelihood of pedestrian conflicts.
- At the San Felipe Rd and Delta Road intersection, the improvement required to improve conditions to background conditions includes adding a second westbound left-turn lane or adding a second southbound left-turn lane. Adding lanes to intersections also increase conflicts with pedestrian movement. This is particularly important at this location, which is proximate to several schools.

At intersection number 4 above (Evergreen Commons and Tully Road), the improvements necessary to restore traffic LOS to background conditions create unacceptable impacts to biological resources as the improvement would require the widening of a bridge crossing Lower Silver Creek which would remove riparian habitat.

At these four intersections, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel or create unacceptable impacts with biological resources.

City of San Jose Citywide Definition of Significant Intersection Impacts

It is noted that the Citywide standard and analysis is discussed and shown here for information purposes only, and to provide context to the FEIR analysis. The proposed Evergreen-East Hills Development Policy criteria, described above, is used in this SEIR to evaluate project impacts on Policy area intersections. The Citywide standard is applicable to study intersections outside of the Evergreen-East Hills Development Policy area.

The Citywide Transportation Impact Policy states that a project is said to create a significant adverse impact on traffic conditions at a signalized intersection located within the City of San Jose if for either peak hour:

1. The level of service at the intersection degrades from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under project conditions, or

2. The level of service at the intersection is an unacceptable LOS E or F under background conditions and the addition of project trips causes both the critical-movement delay at the intersection to increase by four or more seconds and the demand-to-capacity ratio (V/C) to increase by .01 or more.

An exception to this rule applies when the addition of project traffic reduces the amount of average stopped delay for critical movements (i.e.) the change in average stopped delay for critical movements is negative). In this case, the threshold of significance is an increase in the critical V/C value by .01 or more.

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.

CMP Definition of Significant Intersection Impacts

The definition of a significant impact at a CMP intersection is the same as for the City of San Jose Transportation Impact Policy, except that the CMP standard for acceptable level of service at a CMP intersection is LOS E or better. A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore intersection conditions to LOS E or better. The intersection of Capitol Expressway and Story Road is exempt from the CMP standards because it operated at LOS F in the 1991 "baseline" CMP.

CMP Definition of Significant Freeway Impacts

The CMP defines an acceptable level of service for freeway segments as LOS E or better. A project is said to create a significant adverse impact on traffic conditions on a CMP freeway segment if for either peak hour:

1. The level of service on the freeway segment degrades from an acceptable LOS E or better under existing conditions to an unacceptable LOS F under project conditions, or

2. The level of service on the freeway segment is an unacceptable LOS F under project conditions and the number of project trips added to that segment constitutes at least one percent capacity of that segment.

A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore freeway conditions to better than background conditions.

2.1.3.2 *Project Trip Generation*

The magnitude of traffic added to the roadway system by a particular development is estimated by applying the applicable trip generation rates to the size of the development. The trip generation rates that were used were the City of San Jose recommended rates. Table 2.1-6 shows the project trip generation estimates.

TABLE 2.1-6
PROJECT TRIP GENERATION ESTIMATES

			AM PEAK HOUR				PM PEAK HOUR			
LAND USE	**SIZE**	**UNITS[1]**	**RATE**	**IN**	**OUT**	**TOTAL**	**RATE**	**IN**	**OUT**	**TOTAL**
Detached Residential[2]	500	DU	0.99	173	322	495	0.99	322	173	495
Regional Retail	172	KSF	1.00	120	52	172	4.50	387	387	774
Neighborhood Retail	328	KSF	4.80	944	630	1,574	13.20	2,165	2,165	4,330
Office	75	KSF	2.80	189	21	210	2.80	42	168	210
TOTAL PROJECT TRIPS:				**1,426**	**1,025**	**2,451**		**2,916**	**2,893**	**5,809**

Notes: [1] Units: DU = dwelling units, KSF = Thousand Square Feet
[2] The proposed Evergreen Development Policy revision provides traffic capacity for 500 dwelling units. Detached units are used here for trip generation purposes, to provide a worst-case analysis; multi-family units would generate fewer vehicle trips.

2.1.3.3 *Project Trip Distribution and Assignment*

The trip distribution pattern for the project traffic was estimated, based on existing travel patterns on the surrounding roadway system and the locations of complementary land uses. Project trips were assigned to the roadway network according to the trip distribution pattern for each corresponding land use. The trip distribution patterns were derived from the Evergreen • East Hills Vision Strategy traffic study and figures depicting the patterns are included in Appendix B of this SEIR.

2.1.3.4 *Project Impacts on Intersection Operations*

For each of the 78 study intersections located within Evergreen, project impacts were evaluated using the above-described significance criteria of both the proposed Evergreen-East Hills Development Policy and the Citywide Transportation Impact Policy. In addition, each of the 17 study intersections located outside of Evergreen were evaluated using the significance criteria of the Citywide Transportation Impact Policy. A comparison of the intersections impacted using the threshold of the Evergreen-East Hills Development Policy and the Citywide Transportation Impact Policy is shown in Table 2.1-7, and the locations of the impacted intersections are highlighted on Figure 4. The results of the project LOS analyses for intersections within the Evergreen-East Hills Development Policy area are shown in Table 2.1-8. The results of the project LOS analyses for the intersections outside of Evergreen are shown in Table 2.1-9.

Evergreen-East Hills Development Policy Impacts

According to the Evergreen Development Policy's threshold of significance, the traffic allocation proposed by the project would result in a significant impact at the following thirteen study intersections located within Evergreen, shown on Figure 4 and in Table 2.1-8.

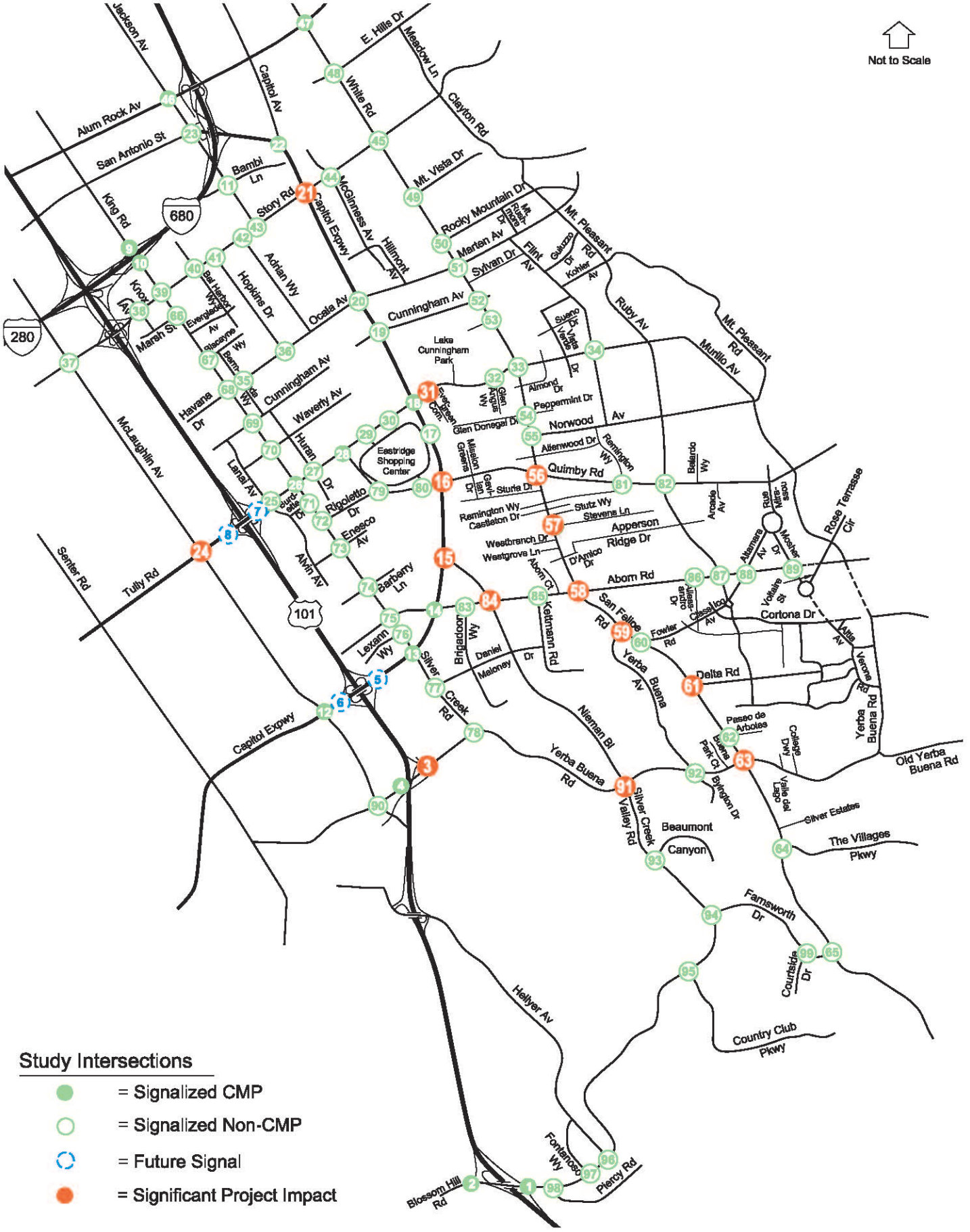
In many of these cases, the significant impacts would be due to a degradation in LOS letter grade, even though operations would remain at levels deemed acceptable per the City's General Plan (i.e., LOS D or better). Nonetheless, the current Evergreen Development Policy defines these as impacts and requires that mitigation be identified (although the proposed policy exempts four intersection impacts from requiring mitigation under certain circumstances). The specific impacts and mitigation measures are described in the text following Table 2.1-9.

TABLE 2.1-7
COMPARISON OF PROJECT IMPACTS
PROPOSED EVERGREEN-EAST HILLS DEVELOPMENT POLICY AND CITYWIDE TRANSPORTATION IMPACT POLICY

Intersection[1]	Peak Hour	Impact under Evergreen-East Hills Development Policy	Impact under Citywide Trans. Impact Policy
3. US 101 and Yerba Buena Road (East)	AM		
	PM	X	
15. Capitol Expressway and Nieman Boulevard[2]	AM		
	PM	X	
16. Capitol Expressway and Quimby Road	AM		
	PM	X	X
21. Capitol Expressway and Story Road	AM	X	X
	PM	X	X
24. McLaughlin Avenue and Tully Road	AM		
	PM		X
31. Evergreen Commons and Tully Road[2]	AM	X	
	PM		
56. White Road and Quimby Road	AM		
	PM	X	X
57. White Road and Stevens Lane	AM		
	PM	X	
58. White Road and Aborn Road	AM		
	PM	X	X
59. San Felipe Road and Yerba Buena Avenue (North)[2]	AM		
	PM	X	
61. San Felipe Road and Delta Road[2]	AM	X	
	PM		
63. San Felipe Road and Yerba Buena Road (South)	AM	X	X
	PM	X	X
84. Nieman Boulevard and Aborn Road	AM		
	PM	X	
91. Nieman Boulevard and Yerba Buena Road	AM	X	X
	PM		

Notes: [1] Intersection numbers correspond to numbers on Figure 4.

[2] The project proposes an exemption from requiring mitigation for these four intersections, as described in the project description and the text following this table.



IMPACTED STUDY INTERSECTIONS FIGURE 4

TABLE 2.1-8
EVERGREEN DEVELOPMENT POLICY AREA - INTERSECTION LEVEL OF SERVICE SUMMARY

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS	Project Conditions Avg. Delay	Project Conditions LOS	Incr. In Crit. Delay	Incr. In Crit. V/C
3	US 101 and Yerba Buena Road (E)*	AM	12.7	B	13.8	B	13.7	B	0.3	0.022
		PM	16.0	B	34.0	C	36.5	D	6.9	0.019
4	US 101 and Yerba Buena Road (W)*	AM	25.8	C	35.9	D	38.5	D	4.7	0.027
		PM	26.4	C	29.1	C	29.9	C	1.1	0.031
13	Silver Creek Rd and Capitol Expwy*	AM	60.3	E	50.8	D	51.4	D	1.0	0.007
		PM	52.4	D	51.5	D	52.4	D	0.8	0.017
14	Capitol Expwy and Aborn Road*	AM	41.9	D	39.8	D	40.5	D	1.8	0.021
		PM	48.0	D	50.2	D	52.5	D	0.0	0.021
15	Capitol Expwy and Nieman Blvd	AM	11.5	B	40.8	D	53.8	D	10.5	0.046
		PM	23.5	C	27.0	C	40.5	D	13.9	0.212
16	Capitol Expwy and Quimby Road*	AM	42.8	D	45.8	D	48.5	D	2.6	0.035
		PM	**57.0**	**E**	**77.8**	**E**	**129.8**	**F**	**80.6**	**0.201**
17	Capitol Expwy and Eastridge	AM	6.5	A	8.5	A	8.5	A	0.1	0.017
		PM	9.1	A	12.4	B	12.3	B	0.0	0.049
18	Capitol Expwy and Tully Road*	AM	40.3	D	37.3	D	38.3	D	1.9	0.036
		PM	41.5	D	45.4	D	48.2	D	4.2	0.060
19	Capitol Expwy and Cunningham Av	AM	11.7	B	11.9	B	11.9	B	0.1	0.011
		PM	8.8	A	9.3	A	9.4	A	0.4	0.024
20	Capitol Expwy and Ocala Avenue	AM	49.7	D	53.8	D	54.9	D	1.0	0.012
		PM	47.9	D	51.9	D	54.4	D	2.1	0.034
21	Capitol Expwy and Story Road*	AM	60.0	E	53.8	D	55.6	E	2.7	0.010
		PM	54.9	D	53.6	D	56.0	E	3.7	0.027
25	Alvin Avenue and Tully Road	AM	32.7	C	33.4	C	33.2	C	-0.1	0.008
		PM	44.1	D	43.4	D	44.0	D	0.6	0.021
26	King Road and Tully Road*	AM	38.9	D	39.8	D	40.3	D	1.2	0.028
		PM	48.6	D	50.1	D	50.3	D	0.1	0.028
27	Huran Drive and Tully Road	AM	24.3	C	27.5	C	26.9	C	-0.4	0.019
		PM	22.2	C	25.8	C	25.2	C	-0.8	0.044
28	Quimby Road and Tully Road*	AM	34.4	C	34.0	C	33.3	C	-0.3	0.023
		PM	45.1	D	46.7	D	46.7	D	1.0	0.065
29	Eastridge Way and Tully Road	AM	9.6	A	11.4	B	11.2	B	-0.1	0.003
		PM	17.2	B	18.4	B	18.1	B	-0.3	0.003
30	Eastridge Lane and Tully Road	AM	4.2	A	4.5	A	4.5	A	0.1	0.004
		PM	8.8	A	9.3	A	9.3	A	-0.1	0.004
31	Evergreen Commons and Tully Road	AM	8.6	A	9.6	A	10.6	B	1.0	0.022
		PM	11.1	B	11.7	B	13.2	B	2.3	0.054
32	Glen Angus Way and Tully Road	AM	15.3	B	15.1	B	14.6	B	-0.4	0.010
		PM	10.5	B	10.8	B	10.1	B	-0.4	0.025
33	White Road and Tully Road	AM	39.7	D	43.0	D	44.8	D	3.4	0.031
		PM	38.2	D	38.5	D	39.8	D	2.6	0.062
34	Flint Avenue and Tully Road	AM	23.8	C	25.1	C	25.5	C	0.5	0.018
		PM	25.5	C	25.9	C	26.2	C	0.1	0.048
35	Bermuda Way and Ocala Avenue	AM	15.6	B	15.5	B	15.5	B	0.0	0.005
		PM	13.8	B	13.4	B	13.4	B	0.0	0.011
36	Hopkins Drive and Ocala Avenue	AM	18.4	B	18.3	B	18.2	B	-0.1	0.004
		PM	20.7	C	20.5	C	20.4	C	-0.2	0.008
38	Knox Avenue and Story Road	AM	29.6	C	30.5	C	30.4	C	-0.1	0.002
		PM	21.7	C	21.6	C	21.4	C	-0.1	0.002
39	King Road and Story Road	AM	43.8	D	41.4	D	41.5	D	0.1	0.004
		PM	47.3	D	46.2	D	46.5	D	0.5	0.008
40	Bal Harbor Way and Story Road	AM	28.1	C	28.0	C	28.1	C	0.0	0.002
		PM	24.4	C	23.4	C	23.9	C	1.0	0.009
41	Hopkins Drive and Story Road	AM	24.5	C	24.2	C	24.1	C	0.0	0.001
		PM	25.6	C	24.9	C	24.8	C	-0.1	0.003
42	Adrian Way and Story Road	AM	18.5	B	18.5	B	18.5	B	-0.1	0.001
		PM	24.8	C	24.9	C	24.8	C	0.0	0.004
43	Jackson Avenue and Story Road	AM	26.2	C	26.1	C	26.3	C	0.3	0.008
		PM	34.7	C	35.1	D	35.4	D	0.3	0.010
44	McGinness Avenue and Story Road	AM	23.5	C	23.6	C	23.4	C	0.0	0.010
		PM	25.0	C	26.3	C	26.2	C	0.1	0.017
45	White Road and Story Road	AM	43.7	D	45.4	D	46.1	D	1.0	0.015
		PM	46.0	D	45.7	D	47.7	D	2.6	0.037

Notes:
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Shaded rows indicate significant impacts under both Evergreen Development Policy and Citywide LOS Policy
Boxed (unshaded) rows indicate impacts under current Evergreen Development Policy

TABLE 2.1-8, cont.

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS	Project Conditions Avg. Delay	Project Conditions LOS	Incr. In Crit. Delay	Incr. In Crit. V/C
48	White Road and East Hills Drive	AM	26.8	C	26.2	C	26.2	C	0.1	0.003
		PM	22.8	C	22.7	C	22.5	C	-0.1	0.010
49	White Road and Mt. Vista Drive	AM	11.7	B	11.0	B	11.3	B	0.4	0.013
		PM	13.8	B	12.7	B	13.2	B	0.6	0.026
50	White Road and Rocky Mountain Drive	AM	4.1	A	3.6	A	3.9	A	0.4	0.011
		PM	3.1	A	3.0	A	3.2	A	0.5	0.024
51	White Road and Ocala Avenue	AM	33.0	C	29.2	C	29.3	C	0.3	0.013
		PM	30.2	C	29.5	C	29.7	C	-1.4	0.026
52	White Road and Cunningham Avenue	AM	13.2	B	12.4	B	12.4	B	0.0	0.011
		PM	14.0	B	12.2	B	11.8	B	-0.2	0.021
53	White Road and Lake Cunningham	AM	6.4	A	6.0	A	5.3	A	0.3	0.033
		PM	4.0	A	6.7	A	6.7	A	1.6	0.054
54	White Road and Glen Donegal Drive	AM	16.6	B	14.5	B	15.0	B	0.2	0.014
		PM	14.6	B	12.7	B	14.2	B	2.2	0.060
55	White Road and Norwood Avenue	AM	13.0	B	11.5	B	12.0	B	0.8	0.027
		PM	13.9	B	13.1	B	14.4	B	1.7	0.068
56	White Road and Quimby Road	AM	37.3	D	41.9	D	52.7	D	21.0	0.093
		PM	40.2	D	45.7	D	84.5	F	75.4	0.236
57	White Road and Stevens Lane	AM	12.3	B	10.5	B	10.7	B	0.6	0.046
		PM	11.5	B	9.9	A	11.5	B	2.8	0.112
58	White Road and Aborn Road	AM	37.5	D	42.8	D	45.9	D	5.0	0.054
		PM	42.1	D	44.4	D	55.5	E	18.3	0.149
59	San Felipe Rd and Yerba Buena Ave (N)	AM	18.4	B	18.4	B	19.4	B	1.8	0.070
		PM	8.4	A	8.3	A	10.8	B	3.8	0.182
60	San Felipe Road and Fowler Road	AM	19.7	B	19.7	B	19.9	B	0.4	0.063
		PM	9.7	A	10.6	B	13.2	B	8.7	0.232
61	San Felipe Road and Delta Road	AM	19.8	B	20.0	B	20.2	C	0.4	0.063
		PM	14.2	B	14.2	B	15.2	B	1.8	0.180
62	San Felipe Road and Paseo de Arboles	AM	11.6	B	10.8	B	13.1	B	16.6	0.067
		PM	13.9	B	13.2	B	19.7	B	10.8	0.304
63	San Felipe Rd and Yerba Buena Rd (S)	AM	32.9	C	78.3	E	86.5	F	15.8	0.037
		PM	34.2	C	105.5	F	129.6	F	45.4	0.107
64	San Felipe Rd and The Village Parkway	AM	16.4	B	16.3	B	17.2	B	1.0	0.026
		PM	16.3	B	15.9	B	15.7	B	0.3	0.060
65	San Felipe Road and Farnsworth Drive	AM	16.0	B	15.4	B	15.8	B	1.0	0.012
		PM	13.1	B	13.6	B	14.2	B	0.4	0.034
66	King Road and Marsh Street	AM	9.8	A	9.5	A	9.4	A	-0.1	0.006
		PM	8.2	A	8.0	A	8.0	A	0.0	0.008
67	King Road and Biscayne Way	AM	11.4	B	11.8	B	11.7	B	-0.1	0.007
		PM	10.1	B	11.1	B	11.0	B	0.0	0.010
68	King Road and Havana Dr/Ocala	AM	37.4	D	37.7	D	37.8	D	0.4	0.013
		PM	35.2	D	35.7	D	37.0	D	2.3	0.036
69	King Road and Cunningham Avenue	AM	19.4	B	19.8	B	19.5	B	-0.2	0.009
		PM	13.0	B	14.5	B	14.2	B	-0.1	0.021
70	King Road and Waverly Avenue	AM	21.2	C	21.1	C	20.9	C	0.0	0.012
		PM	17.0	B	17.1	B	16.8	B	0.1	0.026
71	King Road and Burdette Drive	AM	12.0	B	12.4	B	12.4	B	0.0	0.002
		PM	16.0	B	15.9	B	15.7	B	-0.2	0.008
72	King Road and Rigoletto Drive	AM	14.9	B	14.8	B	15.0	B	0.6	0.008
		PM	15.3	B	15.3	B	15.6	B	0.4	0.011
73	King Road and Enesco Avenue	AM	12.6	B	12.3	B	12.3	B	0.0	0.004
		PM	12.5	B	12.3	B	12.4	B	0.1	0.008
74	King Road and Barberry Lane	AM	13.8	B	13.9	B	13.9	B	0.0	0.003
		PM	6.3	A	6.3	A	6.3	A	0.0	0.008
75	King Road and Aborn Road	AM	22.7	C	24.5	C	24.4	C	-0.1	0.003
		PM	26.7	C	28.8	C	28.8	C	0.1	0.009

Notes:
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Boxed (unshaded) rows indicate impacts under current Evergreen Development Policy

TABLE 2.1-8, cont.

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS	Project Conditions Avg. Delay	Project Conditions LOS	Incr. In Crit. Delay	Incr. In Crit. V/C
76	Silver Creek Road and Lexann Avenue	AM	14.5	B	19.0	B	19.3	B	0.4	0.004
		PM	26.8	C	29.5	C	29.7	C	0.2	0.006
77	Silver Creek Rd and Daniel Maloney Dr	AM	25.7	C	25.3	C	25.3	C	0.0	0.005
		PM	20.2	C	20.7	C	20.8	C	0.6	0.008
78	Silver Creek Rd and Yerba Buena Rd	AM	20.6	C	20.0	C	20.4	C	1.0	0.024
		PM	21.4	C	23.8	C	24.7	C	1.7	0.025
79	Quimby Road and Rigoletto Drive	AM	31.3	C	33.7	C	33.8	C	0.4	0.056
		PM	34.6	C	35.8	D	36.4	D	2.2	0.128
80	Eastridge Blvd and Quimby Road	AM	15.8	B	16.6	B	15.8	B	-0.2	0.060
		PM	23.1	C	23.7	C	20.0	C	-3.1	0.143
81	Remington Way and Quimby Road	AM	18.5	B	19.4	B	20.0	B	1.3	0.083
		PM	14.5	B	16.4	B	18.7	B	2.1	0.156
82	Ruby Avenue and Quimby Road	AM	31.7	C	32.4	C	32.7	C	0.1	0.019
		PM	28.5	C	31.1	C	31.8	C	1.6	0.122
83	Brigadoon Way and Aborn Road	AM	7.8	A	6.1	A	6.7	A	0.8	0.014
		PM	10.1	B	10.0	B	10.6	B	0.5	0.039
84	Nieman Boulevard and Aborn Road	AM	27.7	C	45.2	D	48.9	D	6.1	0.045
		PM	31.2	C	31.7	C	37.0	D	6.9	0.150
85	Kettman Road and Aborn Road	AM	20.1	C	16.9	B	18.7	B	2.4	0.045
		PM	19.0	B	29.1	C	33.1	C	5.7	0.101
86	Alessandro Drive and Aborn Road	AM	20.2	C	14.5	B	15.0	B	0.6	0.014
		PM	14.4	B	8.7	A	9.9	A	1.1	0.037
87	Ruby Avenue and Aborn Road	AM	23.6	C	19.9	B	20.0	C	0.1	0.004
		PM	22.8	C	20.8	C	21.8	C	0.8	0.023
88	Altamara Avenue and Aborn Road	AM	28.9	C	22.4	C	22.6	C	0.1	0.005
		PM	24.8	C	13.7	B	14.7	B	1.4	0.024
89	Mosher Drive and Aborn Road	AM	13.7	B	4.0	A	4.5	A	0.1	0.001
		PM	14.6	B	3.3	A	5.5	A	1.5	0.017
91	Nieman Blvd and Yerba Buena Road	AM	33.2	C	51.4	D	56.8	E	10.4	0.040
		PM	30.0	C	26.3	C	27.3	C	0.3	0.018
92	Byington Drive and Yerba Buena Road	AM	13.1	B	12.0	B	12.8	B	1.5	0.032
		PM	10.1	B	20.5	C	28.6	C	12.2	0.047
93	Silver Creek Valley Rd and Beaumont Canyon Dr	AM	15.8	B	14.5	B	15.4	B	1.4	0.014
		PM	19.7	B	18.1	B	19.2	B	-0.1	0.002
94	Silver Creek Valley Rd and Farnsworth Dr	AM	20.0	C	21.4	C	21.6	C	0.2	0.009
		PM	25.6	C	23.7	C	24.5	C	0.7	0.027
95	Silver Creek Valley and Country Club Pkwy	AM	17.1	B	16.6	B	16.9	B	6.6	-0.011
		PM	11.3	B	12.5	B	12.2	B	-0.4	0.010
98	Piercy Rd and Silver Creek Valley Rd	AM	9.3	A	7.7	A	7.7	A	0.0	0.000
		PM	17.3	B	21.0	C	21.0	C	0.0	0.001
99	Courtside Drive and Farnsworth Drive	AM	20.0	C	20.0	C	20.0	C	5.4	0.002
		PM	14.5	B	14.5	B	13.9	B	-0.3	0.016

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Boxed rows indicate impacts under current Evergreen Development Policy
Bolded Text indicates CMP impacts

TABLE 2.1-9
OUTSIDE EVERGREEN DEVELOPMENT POLICY AREA - INTERSECTION LEVEL OF SERVICE SUMMARY

Study Number		Peak Hour	Existing Avg. Delay	Existing LOS	Background Avg. Delay	Background LOS	Project Conditions Avg. Delay	Project Conditions LOS	Incr. In Crit. Delay	Incr. In Crit. V/C
1	US 101 and Blossom Hill (E)*	AM	27.8	C	44.0	D	44.0	D	0.1	0.000
		PM	32.1	C	64.0	E	64.2	E	0.3	0.001
2	US 101 and Blossom Hill (W)*	AM	17.7	B	17.2	B	17.2	B	0.0	0.001
		PM	21.9	C	33.9	C	34.5	C	0.6	0.004
9	King Road and I-680 (N)*	AM	26.5	C	28.0	C	28.1	C	0.1	0.004
		PM	34.5	C	36.6	D	36.8	D	0.3	0.005
10	King Road and I-680 (S)*	AM	17.7	B	21.6	C	21.9	C	0.4	0.004
		PM	34.0	C	36.8	D	37.1	D	0.5	0.005
11	Jackson Avenue and I-680 NB off-ramp	AM	33.3	C	36.0	D	36.0	D	-0.1	0.003
		PM	32.6	C	32.5	C	32.6	C	0.0	0.004
12	McLaughlin Avenue and Capitol Expwy*	AM	46.1	D	46.9	D	47.1	D	0.3	0.006
		PM	44.9	D	48.6	D	49.7	D	2.2	0.017
22	Capitol Expwy and Capitol Av*	AM	24.9	C	25.3	C	25.5	C	0.2	0.007
		PM	55.6	E	53.1	D	54.7	D	2.0	0.011
23	Jackson Avenue and Capitol Expwy	AM	31.2	C	31.5	C	31.5	C	0.0	0.003
		PM	31.1	C	31.3	C	31.4	C	0.1	0.004
24	McLaughlin Avenue and Tully Road*	AM	42.6	D	43.0	D	43.3	D	0.3	0.006
		PM	54.3	D	61.0	E	65.5	E	8.6	0.031
37	McLaughlin Avenue and Story Road	AM	39.6	D	40.8	D	40.8	D	0.0	0.001
		PM	46.2	D	46.9	D	47.0	D	0.2	0.003
46	Jackson Avenue and Alum Rock Avenue*	AM	31.4	C	33.9	C	33.9	C	0.1	0.002
		PM	35.7	D	37.3	D	37.3	D	0.0	0.001
47	White Road and Alum Rock Avenue*	AM	50.3	D	53.7	D	53.9	D	0.3	0.004
		PM	43.8	D	43.8	D	44.3	D	0.9	0.014
48	White Road and East Hills Drive	AM	26.8	C	26.2	C	26.2	C	0.1	0.003
		PM	22.8	C	22.7	C	22.5	C	-0.1	0.010
90	McLaughlin Avenue and Yerba Buena Road	AM	22.9	C	22.9	C	22.8	C	0.0	0.001
		PM	26.0	C	26.0	C	25.8	C	-0.1	0.009
96	Hellyer Rd and Silver Creek Valley Rd	AM	27.5	C	45.5	D	45.5	D	0.0	0.001
		PM	30.4	C	35.7	D	36.0	D	0.5	0.011
97	Fontanoso Wy and Silver Creek Valley Rd	AM	16.8	B	23.6	C	23.6	C	0.0	0.000
		PM	14.7	B	28.1	C	28.1	C	0.0	0.001
98	Piercy Rd and Silver Creek Valley Rd	AM	9.3	A	7.7	A	7.7	A	0.0	0.000
		PM	17.3	B	21.0	C	21.0	C	0.0	0.001

Notes:
* Denotes CMP Intersection
Shaded rows indicate significant impacts under Citywide LOS Policy

Impact TRAN -1: **US 101 and Yerba Buena Road (East)** This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-1: The level of service impact could be mitigated by converting a westbound through lane into a shared through/right-turn lane. Converting a westbound through lane into a shared through/right-turn lane could be done within the existing right-of-way. The mitigation would improve the intersection level of service to LOS B. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact. Improvements to the US 101/Yerba Buena Road interchange were addressed in the previously certified FEIR. The City is currently working with Caltrans on the ultimate design of the US 101/Yerba Buena Interchange improvements, as part of the US 101 Corridor Study. This mitigation measure may change, depending on the final design of that project, but it is anticipated to remain within the existing right-of-way. **(Less than Significant Impact with Mitigation)**

Impact TRAN -2 **Capitol Expressway and Nieman Boulevard** This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS D. Based on the existing Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-2: At the intersection of Capitol Expressway and Nieman Boulevard, the improvement required to restore traffic LOS to background conditions include adding a second westbound right-turn lane. Double-right turn lanes are considered a design which is less desirable, as they increase the likelihood of pedestrian conflicts. They are not supported by City standards for intersections within the acceptable LOS threshold under the City Transportation Policy promoting safe access for all travel modes, including bicycle and pedestrian. The degradation in LOS due to the project is not considered an impact under either Citywide or County CMP criteria, since LOS D is still an acceptable level of operation. Under the proposed Evergreen-East Hills Development Policy, this impact would be exempt from requiring mitigation, due to its creation of undesirable conflicts with other modes of travel. Under the proposed Policy exemption, the project impact at this intersection would be less than significant. **(Less than Significant Impact)**

Impact TRAN -3: **Capitol Expressway and Quimby Road** This intersection would operate at LOS E with a V/C of 1.050 during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-3: The impact could be mitigated by adding exclusive northbound and eastbound right-turn lanes. Adding exclusive northbound and eastbound right-turn lanes could be completed within the existing right-of-way. The mitigation would improve the intersection level of service to LOS E with a V/C of 0.894, which is better than the calculated LOS under background conditions. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**

Impact TRAN-4: **Capitol Expressway and Story Road** This intersection would operate at LOS D during both the AM and PM peak hours under background conditions, and the added project trips would cause the level of service to degrade to LOS E during both peak hour periods. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-4: Mitigation for this impact would consist of constructing a grade separation at this location. This mitigation was studied as part of the Capitol Corridor LRT Project and was determined to be infeasible due to substantial right-of-way and relocation impacts. [Source: Capitol Corridor Final EIR, VTA, 2005.] Since the Capitol Expressway/Story Road intersection is a CMP intersection, its projected LOS E is acceptable under CMP standards. Therefore, a CMP deficiency plan would not be required for the project. Further explanation of why mitigation at this intersection is infeasible is provided in the certified FEIR, which had the same significant unavoidable impact conclusion. A statement of overriding considerations would be required for this intersection impact. (**Significant Unavoidable Impact)**

Impact TRAN-5: **Evergreen Commons and Tully Road** This intersection would operate at LOS A during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS B. Based on the existing Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-5: At this intersection, the improvement necessary to restore traffic LOS to background conditions would require adding a second westbound left-turn lane into an existing shopping center on the south side of Tully Road. To construct this improvement, right-of-way would be required to widen the Tully Road bridge over Lower Silver Creek, along the north side of Tully

Road, and from the landscaping at the shopping center to the south. The right-of-way necessary to add a lane across the Tully Road bridge is estimated to be a 12-foot wide section, approximately 500 feet in length. While Lower Silver Creek is generally channelized through the project area, it is likely that the necessary widening would affect riparian vegetation and possibly wetlands. Furthermore, without obtaining landscaping area from the shopping center parking lot, the site is too shallow to extend the double left turn lanes far enough into the site to operate effectively. The necessary improvement would create unacceptable impacts to biological resources; therefore, the proposed revised Evergreen-East Hills Development Policy includes an exemption from this impact requiring mitigation. Under the proposed Policy exemption, the project impact at this intersection would be less than significant. **(Less than Significant Impact)**

Impact TRAN-6: **White Road and Quimby Road** This intersection would operate at LOS D during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-6: The level of service impact could be mitigated by adding a second northbound left-turn lane. The mitigation could be completed within the existing right-of-way and would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**

Impact TRAN-7: **White Road and Stevens Lane** This intersection would operate at LOS A during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS B. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-7: The level of service impact could be mitigated by adding a second westbound left-turn lane. Adding a second westbound left-turn lane would require the acquisition and demolition of four single-family homes along the north side of Stevens Lane. The mitigation would improve the intersection level of service to LOS A. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. This mitigation measure is considered infeasible, due to the demolition of four homes required to implement it, and LOS B is an acceptable level of intersection operation with more than enough traffic capacity. For these reasons, the mitigation is considered infeasible and a statement of overriding considerations would be required. **(Significant Unavoidable Impact)**

Impact TRAN-8: **White Road and Aborn Road** This intersection would operate at LOS D during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-8: The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. The mitigation would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. **(Less than Significant Impact with Mitigation)**

Impact TRAN-9: **San Felipe Road and Yerba Buena Avenue (North)** This intersection would operate at LOS A during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS B. Based on the existing Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-9: At this intersection, the improvement required to restore traffic LOS to background conditions includes adding an exclusive southbound right-turn lane. Double right-turn lanes are considered a less desirable design, due to the potential for pedestrian conflicts. They are not supported by City standards for intersections within the acceptable LOS threshold under the City Transportation Policy for promoting safe access for all travel modes, including bicycle and pedestrian. This is particularly important at this location, proximate to two elementary schools. The degradation in LOS due to the project is not considered an impact under the citywide criteria, because LOS B is an acceptable level of intersection operation with more than enough traffic capacity. Under the proposed Evergreen-East Hills Development Policy, this impact would be exempt from requiring mitigation, due to its creation of undesirable conflicts with other modes of travel. Under the proposed Policy exemption, the project impact at this intersection would be less than significant. **(Less than Significant Impact)**

Impact TRAN-10: **San Felipe Road and Delta Road** This intersection would operate at LOS B during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS C. Based on the existing Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-10: At this intersection, the improvement required to restore traffic LOS to background conditions includes either adding a second westbound left-turn lane or by adding a second southbound left-turn lane. Adding lanes to intersections can be detrimental to pedestrian movement and City policies

strive to find a balance between all modes of circulation and promote safe access for all travel modes, including bicycle and pedestrian. This is particularly important at this location, proximate to several schools. The degradation in LOS due to the project is not considered an impact under the citywide criteria, because LOS C is an acceptable level of intersection operation with adequate traffic capacity. Under the proposed Evergreen-East Hills Development Policy, this impact would be exempt from requiring mitigation, due to its creation of undesirable conflicts with other modes of travel. Under the proposed Policy exemption, the project impact at this intersection would be less than significant. **(Less than Significant Impact)**

Impact TRAN-11: **San Felipe Road and Yerba Buena Road (South)** This intersection would operate at LOS E with a V/C of 1.136 during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-11: The level of service impact could be mitigated by adding a second eastbound left-turn lane and a second southbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS E with a V/C of 1.076, which is better than that calculated under background conditions. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**

Impact TRAN-12: **Nieman Boulevard and Aborn Road** This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-12: The level of service impact could be mitigated by converting a southbound through lane into a second southbound left-turn lane. The mitigation could be done within the existing right-of-way and would improve the intersection level of service to LOS C. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. **(Less than Significant Impact with Mitigation)**

Impact TRAN-13: **Nieman Boulevard and Yerba Buena Road** This intersection would operate at LOS D during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.

MM TRAN-13: The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**

Citywide Transportation Impact Policy Impacts

Of the thirteen intersections located within the boundaries of Evergreen that have a significant project impact under the current Evergreen Development Policy, six of the 13 intersections would have a significant impact if the Citywide Transportation Impact Policy were to be applied. In addition, project traffic would result in a significant impact, under the Citywide Transportation Impact Policy, at one study intersection located outside the Evergreen area boundary (McLaughlin Avenue and Tully Road), as described below.

Impact TRAN-14: **McLaughlin Avenue and Tully Road** This intersection would operate at LOS E during the PM peak hour under background conditions, and the added project trips would cause the delay to increase by 8.6 seconds and the v/c ratio to increase by 3.1 percent (0.031). Based on the Transportation Impact Policy, this constitutes a significant project impact.

MM TRAN-14: The level of service impact could be mitigated by adding an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition or a narrowing of the sidewalk in front of the corner parcel (from 10 to 5 feet) and eliminating the planting strip in front of the adjacent parcel. The mitigation would improve the intersection level of service to LOS D. Based on the Transportation Impact Policy, these improvements would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. **(Less than Significant Impact with Mitigation)**

To summarize, the seven intersections (six within Evergreen and one outside of Evergreen) that would be significantly impacted by the project under the criteria of the Citywide Transportation Impact Policy are listed below. The intersections numbers correspond to the numbers in Figure 4 and in Tables 2.1-7, 2.1-8, and 2.1-9.

16. Capitol Expressway and Quimby Road – PM peak hour
21. Capitol Expressway and Story Road – AM and PM peak hours
24. McLaughlin Avenue and Tully Road – PM peak hour
56. White Road and Quimby Road – PM peak hour
58. White Road and Aborn Road – PM peak hour
63. San Felipe Road and Yerba Buena Road (South) – AM and PM peak hours
91. Nieman Boulevard and Yerba Buena Road – AM peak hour

A summary of the project impacts and mitigation measures is shown in Table 2.1-10.

TABLE 2.1-10

SUMMARY OF SIGNIFICANT INTERSECTION IMPACTS AND PROPOSED MITIGATION MEASURES

Study Number	Intersection	Peak Hour	Background Avg. Delay	Background LOS	Project Avg. Delay	Project LOS	Project Conditions w/ Mitigation Avg. Delay	Project Conditions w/ Mitigation LOS	Citywide LOS Policy Impact?	Mitigation Measures
3	US 101 and Yerba Buena Road (E)*	AM	13.8	B	13.7	B	14.2	B		Convert a WB Thru lane into a shared Thru/RT lane
		PM	34.0	C	36.5	D	15.1	B		
15	Capitol Expwy and Nieman Blvd	AM	40.8	D	53.8	D				Project impacts exempt from requiring mitigation, due to undesirable conflicts with other modes of travel.
		PM	27.0	C	40.5	D				
16	Capitol Expwy and Quimby Road*	AM	45.8	D	48.5	D	42.7	D		Add exclusive NB and EB RT lanes.
		PM	77.8	E	129.8	F	68.6	E	YES	
21	Capitol Expwy and Story Road*	AM	53.8	D	55.6	E			YES	No feasible mitigation measures.
		PM	53.6	D	56.0	E			YES	
24	McLaughlin Avenue and Tully Road* /a/	AM	43.0	D	43.3	D	39.7	D		Add exclusive NB RT lane.
		PM	61.0	E	65.5	E	52.3	D	YES	
31	Evergreen Commons and Tully Road	AM	9.6	A	10.6	B				Project impacts exempt from requiring mitigation, due to unacceptable impacts to biological resources.
		PM	11.7	B	13.2	B				
56	White Road and Quimby Road	AM	41.9	D	52.7	D	38.1	D		Add a 2nd NB LT lane.
		PM	45.7	D	84.5	F	52.2	D	YES	
57	White Road and Stevens Lane	AM	10.5	B	10.7	B				Mitigation is not considered feasible, due to ROW requirements and secondary impacts to 4 homes
		PM	9.9	A	11.5	B				
58	White Road and Aborn Road	AM	42.8	D	45.9	D	42.7	D		Add a 2nd WB LT lane.
		PM	44.4	D	55.5	E	53.4	D	YES	
59	San Felipe Rd and Yerba Buena Ave (N)	AM	18.4	B	19.4	B				Project impacts exempt from requiring mitigation, due to undesirable conflicts with other modes of travel.
		PM	8.3	A	10.8	B				
61	San Felipe Road and Delta Road	AM	20.0	B	20.2	C				Project impacts exempt from requiring mitigation, due to undesirable conflicts with other modes of travel.
		PM	14.2	B	15.2	B				
63	San Felipe Rd and Yerba Buena Rd (S)	AM	78.3	E	86.5	F	62.5	E	YES	Add a 2nd EB LT lane and a 2nd SB LT lane.
		PM	105.5	F	129.6	F	71.4	E	YES	
84	Nieman Boulevard and Aborn Road	AM	45.2	D	48.9	D	36.0	D		Convert a SB thru lane to a 2nd SB LT lane.
		PM	31.7	C	37.0	D	29.7	C		
91	Nieman Blvd and Yerba Buena Road	AM	51.4	D	56.8	E	54.4	D	YES	Add a 2nd WB LT lane.
		PM	26.3	C	27.3	C	25.9	C		

* Denotes CMP Intersection

Boxed rows indicate impacts under Evergreen Development Policy.

/a/ This intersection is located outside the Evergreen area boundary and, therefore, was evaluated according to the Citywide LOS Policy.

2.3.3.5 *Project Impacts on Freeway Operations*

In addition to the analysis of study intersections, the effect of project traffic on nearby freeways was evaluated. The results of the CMP freeway level of service analysis are summarized in Table 2.1-11. Traffic volumes on the study freeway segments under project conditions were estimated by adding project trips to the existing volumes. The results show that the project would cause significant increases in traffic volumes (more than one percent of freeway capacity) on the following nine directional freeway segments:

- US 101, northbound between Yerba Buena Road and Capitol Expressway – AM peak hour
- US 101, northbound between Capitol Expressway and Tully Road – AM peak hour
- US 101, southbound between Capitol Expressway and Tully Road – PM peak hour
- US 101, southbound between Tully Road and Story Road – PM peak hour
- US 101, southbound between Story Road and I-280 – PM peak hour
- I-280, eastbound between SR 87 and Tenth Street – PM peak hour
- I-280, westbound between SR 87 and Tenth Street – AM peak hour
- I-280, westbound between Tenth Street and McLaughlin Avenue – AM peak hour
- I-280, westbound between McLaughlin Avenue and US 101 – AM peak hour

2.3.3.6 *Mitigation Measures for Project Freeway Impacts*

Freeways are regional facilities whose capacity and operation are substantially greater than the demands of a single jurisdiction. Mitigation of freeway segment impacts would require widening of the freeways for the purpose of adding new through lanes, which would constitute a major capital improvement to state facilities.

The construction of additional through lanes on these impacted segments of U.S. 101 and I-280 would require additional right-of-way. The additional right-of-way would, in turn, result in the relocation of hundreds of residences and businesses that are immediately adjacent to these freeways. These significant impacts, along with the associated costs, make this mitigation infeasible. Additionally, such improvements are beyond the control of the City of San José as the freeways are under the jurisdiction of Caltrans. **(Significant Unavoidable Impact)**

TABLE 2.1-11
FREEWAY SEGMENT LEVELS OF SERVICE UNDER PROJECT CONDITIONS

						Existing Plus Project Trips												Project Trips					
						Mixed-Flow						HOV Lane							Mixed-Flow		HOV Lane		
Freeway	Segment			Direction	Peak Hour	Ave. Speed/a/	# of Lanes	Capacity (vph)	Volume/a/	Density	LOS	Ave. Speed/a/	# of Lanes	Capacity (vph)	Volume/a/	Density	LOS	Total Volume	Volume	% Capacity	Volume	% Capacity	Impact?
US 101	Hellyer Ave	to	Yerba Buena Rd	NB	AM	27	3	6,900	5,607	69.2	F	38	1	1,800	2,054	54.0	E	21	17	0.3%	4	0.2%	*NO*
					PM	64	3	6,900	6,184	32.2	D	67	1	1,800	549	8.2	A	53	44	0.6%	9	0.5%	*NO*
US 101	Yerba Buena Rd	to	Capitol Expwy	NB	AM	24	3	6,900	5,508	76.5	F	64	1	1,800	2,133	33.3	D	131	108	**1.6%**	23	1.3%	***YES***
					PM	66	3	6,900	4,018	20.3	C	67	1	1,800	752	11.2	B	70	58	0.8%	12	0.7%	*NO*
US 101	Capitol Expwy	to	Tully Rd	NB	AM	19	3	6,900	4,886	85.7	F	40	1	1,800	2,101	52.5	E	117	96	**1.4%**	21	1.2%	***YES***
					PM	66	3	6,900	4,777	24.1	C	67	1	1,800	476	7.1	A	33	27	0.4%	6	0.3%	*NO*
US 101	Tully Rd	to	Story Rd	NB	AM	41	3	6,900	6,380	51.9	E	62	1	1,800	2,194	35.4	D	134	110	1.6%	24	1.3%	*NO*
					PM	66	3	6,900	4,808	24.3	C	67	1	1,800	552	8.2	A	70	58	0.8%	12	0.7%	*NO*
US 101	Story Rd	to	I-280	NB	AM	66	3	6,900	4,869	24.6	C	66	1	1,800	1,876	28.4	D	145	119	1.7%	26	1.4%	*NO*
					PM	67	3	6,900	2,876	14.3	B	67	1	1,800	484	7.2	A	80	66	1.0%	14	0.8%	*NO*
US 101	I-280	to	Santa Clara St	NB	AM	18	3	6,900	4,746	87.9	F	13	1	1,800	1,380	106.2	F	56	46	0.7%	10	0.6%	*NO*
					PM	66	3	6,900	3,987	20.1	C	67	1	1,800	876	13.1	B	33	27	0.4%	6	0.3%	*NO*
US 101	Santa Clara St	to	I-280	SB	AM	67	3	6,900	3,451	17.2	B	67	1	1,800	407	6.1	A	38	31	0.5%	7	0.4%	*NO*
					PM	16	3	6,900	4,495	93.6	F	32	1	1,800	1,957	61.2	F	42	35	0.5%	7	0.4%	*NO*
US 101	I-280	to	Story Rd	SB	AM	67	3	6,900	2,488	12.4	B	67	1	1,800	487	7.3	A	95	78	1.1%	17	0.9%	*NO*
					PM	20	3	6,900	5,007	83.5	F	57	1	1,800	2,239	39.3	D	106	87	**1.3%**	19	1.0%	***YES***
US 101	Story Rd	to	Tully Rd	SB	AM	66	3	6,900	5,022	25.4	C	67	1	1,800	485	7.2	A	87	72	1.0%	15	0.9%	*NO*
					PM	15	3	6,900	4,486	99.7	F	54	1	1,800	2,227	41.2	D	93	76	**1.1%**	17	0.9%	***YES***
US 101	Tully Rd	to	Capitol Expwy	SB	AM	66	3	6,900	4,803	24.3	C	67	1	1,800	951	14.2	B	64	53	0.8%	11	0.6%	*NO*
					PM	35	3	6,900	6,139	58.5	**F**	66	1	1,800	1,790	27.1	D	59	49	0.7%	10	0.6%	***YES***
US 101	Capitol Expwy	to	Yerba Buena Rd	SB	AM	66	3	6,900	4,018	20.3	C	67	1	1,800	813	12.1	B	71	58	0.8%	13	0.7%	*NO*
					PM	66	3	6,900	4,628	23.4	C	67	1	1,800	1,227	18.3	C	95	78	1.1%	17	0.9%	*NO*
US 101	Yerba Buena Rd	to	Hellyer Ave	SB	AM	66	3	6,900	4,374	22.1	C	67	1	1,800	1,013	15.1	B	17	14	0.2%	3	0.2%	*NO*
					PM	66	3	6,900	5,388	27.2	D	67	1	1,800	1,148	17.1	B	46	38	0.5%	8	0.5%	*NO*
I-280	SR 87	to	10th St	EB	AM	66	4	9,200	5,609	21.2	C	--	--	--	--	--	--	69	69	0.8%	0	--	*NO*
					PM	25	4	9,200	7,389	73.9	F	--	--	--	--	--	--	89	89	**1.0%**	0	--	***YES***
I-280	10th St	to	McLaughlin Ave	EB	AM	65	4	9,200	8,129	31.3	D	--	--	--	--	--	--	69	69	0.8%	0	--	*NO*
					PM	54	4	9,200	8,949	41.4	D	--	--	--	--	--	--	89	89	1.0%	0	--	*NO*
I-280	McLaughlin Ave	to	US 101	EB	AM	66	4	9,200	6,929	26.2	D	--	--	--	--	--	--	69	69	0.8%	0	--	*NO*
					PM	66	4	9,200	7,479	28.3	D	--	--	--	--	--	--	89	89	1.0%	0	--	*NO*
I-280	US 101	to	McLaughlin Ave	WB	AM	6	4	9,200	3,401	141.7	F	--	--	--	--	--	--	91	91	**1.0%**	0	--	***YES***
					PM	65	4	9,200	8,131	31.3	D	--	--	--	--	--	--	71	71	0.8%	0	--	*NO*
I-280	McLaughlin Ave	to	10th St	WB	AM	12	4	9,200	5,325	110.9	F	--	--	--	--	--	--	95	95	**1.0%**	0	--	***YES***
					PM	65	4	9,200	7,878	30.3	D	--	--	--	--	--	--	78	78	0.8%	0	--	*NO*
I-280	10th St	to	SR 87	WB	AM	25	4	9,200	7,395	74.0	F	--	--	--	--	--	--	95	95	**1.0%**	0	--	***YES***
					PM	66	4	9,200	7,208	27.3	D	--	--	--	--	--	--	78	78	0.8%	0	--	*NO*
I-680	US 101	to	King Rd	NB	AM	66	4	9,200	5,581	21.1	C	--	--	--	--	--	--	41	41	0.4%	0	--	*NO*
					PM	66	4	9,200	6,905	26.2	D	--	--	--	--	--	--	45	45	0.5%	0	--	*NO*
I-680	King Rd	to	Capitol Expwy	NB	AM	39	4.2	9,660	8,307	50.7	E	--	--	--	--	--	--	37	37	0.4%	0	--	*NO*
					PM	63	4.2	9,660	8,605	32.5	D	--	--	--	--	--	--	35	35	0.4%	0	--	*NO*
I-680	Capitol Expwy	to	Alum Rock Ave	NB	AM	19	4	9,200	6,408	84.3	F	--	--	--	--	--	--	28	28	0.3%	0	--	*NO*
					PM	66	4	9,200	6,365	24.1	C	--	--	--	--	--	--	25	25	0.3%	0	--	*NO*
I-680	Alum Rock Ave	to	Capitol Expwy	SB	AM	13	4	9,200	5,445	104.7	F	--	--	--	--	--	--	35	35	0.4%	0	--	*NO*
					PM	64	4	9,200	8,474	33.1	D	--	--	--	--	--	--	24	24	0.3%	0	--	*NO*
I-680	Capitol Expwy	to	King Rd	SB	AM	11	4.4	10,120	5,455	112.7	F	--	--	--	--	--	--	35	35	0.3%	0	--	*NO*
					PM	66	4.4	10,120	6,414	22.1	C	--	--	--	--	--	--	24	24	0.2%	0	--	*NO*
I-680	King Rd	to	US 101	SB	AM	8	4	9,200	4,143	129.5	F	--	--	--	--	--	--	43	43	0.5%	0	--	*NO*
					PM	66	4	9,200	5,578	21.1	C	--	--	--	--	--	--	38	38	0.4%	0	--	*NO*

/a/ Source: Santa Clara Valley Transportation Authority Congestion Management Program Monitoring Study, 2006.

2.3.4 Conclusions Regarding Traffic Impacts

Using the thresholds of significance of the proposed Evergreen-East Hills Development Policy, the proposed project traffic would result in significant impacts at 13 intersections. Using the thresholds of the Citywide Transportation Impact Policy, the same traffic would result in a significant impact at seven intersections. Mitigation measures identified above and proposed by the project would reduce project impacts at seven of the affected intersection.

The proposed Evergreen-East Hills Development Policy proposes that four intersection impacts would be exempt from requiring mitigation, due to special circumstances. These intersections are: Capitol Expressway and Nieman Boulevard; 2) San Felipe Road and Yerba Buena Avenue (North); 3) San Felipe Road and Delta Road; and 4) Evergreen Commons and Tully Road. At these four intersections, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel or create unacceptable impacts with biological resources. Under the proposed Policy exemption, the project impact at these intersections would be less than significant. **(Less than Significant Impact)**

Mitigation for the intersection of Capitol Expressway and Story Road is considered infeasible, due to right-of-way and relocation constraints. Project impacts at the intersection of Capitol Expressway and Story Road would remain significant and unavoidable, and a statement of overriding considerations would be required. **(Significant Unavoidable Impact)**

Mitigation for impacts at the intersection of White Road and Stevens Lane is considered infeasible, due to the right-of-way and relocation requirements of the identified mitigation. For this intersection impact a statement of overriding considerations would be required. **(Significant Unavoidable Impact)**

Added traffic from the proposed project would result in a significant unavoidable impact on nine directional freeway segments and a statement of overriding considerations would be required. **(Significant Unavoidable Impact)**

2.2 NOISE

The following discussion of noise impacts of the proposed traffic allocation (revision of the Evergreen Development Policy) is based upon the traffic analysis prepared by Hexagon Transportation Consultants, Inc. in July 2008, and the September 2005 noise report prepared by Illingworth & Rodkin for the previously certified EEHVS FEIR.

2.2.1 Introduction and Regulatory Framework

The regulatory framework for noise remains unchanged from that described in Section 4.3.1 of the certified EEHVS EIR.

2.2.2 Existing Noise Sources and Levels

The level of development and traffic has not changed or increased substantially since the EEHVS EIR was prepared in 2006 and, therefore, the noise sources and levels documented in Section 4.3.2 of the certified EIR are still valid.

2.2.3 Noise Impacts

2.2.3.1 *Thresholds of Significance*

For the purposes of this SEIR, a noise impact is considered significant if the project would result in:

- 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;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- 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; or
- For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

While CEQA does not specifically define what amount of noise level increase is considered significant, generally, in high noise environments, a project is considered by the City to have a significant impact if the project would: 1) substantially and permanently increase existing noise levels more than three dBA DNL (three decibels is the minimum increase generally perceptible by the human ear); or 2) would cause ambient noise levels to exceed the guidelines established by the General Plan.

Per the General Plan, the City's acceptable noise level objectives are 55 dBA DNL as the long-range exterior noise quality level, 60 dBA DNL as the short-range exterior noise quality level, 45 dBA DNL as the interior noise quality level, and 76 dBA DNL as the maximum exterior noise level necessary to avoid significant adverse health effects (Noise Policy 1). The objectives are established for the City, recognizing that the attainment of exterior noise quality levels in the environs of the San José International Airport, the Downtown Core Area, and along major roadways may not be achieved in the time frame of the General Plan.

2.2.3.2 *Long-Term Noise Impacts along Roadways in the Project Area*

The project proposes a revision to the Evergreen Development Policy to provide for traffic allocation for future development at locations throughout the Policy area. Potential noise impacts resulting from the traffic allocation comprise increases in traffic-generated noise levels on and adjacent to roadways in the area.[5]

The proposed approval of traffic allocation will result in an increase in traffic on various roadways, which in turn could increase traffic-generated noise at land uses located along those facilities. As part of the noise analysis prepared for this SEIR, the degree to which the project would increase traffic noise above background, or No Project, conditions was quantified, and both were compared to existing condition noise levels. No Project conditions include the traffic generated by development of 4.66 million square feet of campus industrial development on the Legacy and Berg Sites.

The results of this analysis are presented in Table 2.2-1, with increases of three decibels or greater over background levels considered a significant impact. Roadway segments in the Evergreen area that are not shown in Table 2.2-1 would not experience a substantial traffic increase under the proposed Policy revision and/or have no adjacent sensitive receptors such as residences. As shown in Table 2.2-1, the largest increase in average daily trips (ADT) resulting from the proposed traffic allocation would occur on the segment of San Felipe Road between Fowler Road and Delta Road. On this segment, project-generated traffic would increase the ADT approximately 22.4 percent. An ADT increase of 33 percent is required to result in a one decibel increase in traffic-generated noise levels and anything less than a three decibel increase in noise levels is not typically perceptible to the human ear. For these reasons, the project-generated noise level increase is not considered significant. The traffic allocation allowed by the proposed Evergreen Development Policy revision would not result in any long-term significant noise impacts. **(Less than Significant Impact)**

2.2.4 Mitigation Measures for Increases in Off-Site Roadway Noise

As shown in Table 2.2-1, traffic generated by development that would be allowed under the proposed revision to the Evergreen Development Policy will not result in any significant noise level increases over Background Conditions and mitigation is not required or proposed..

[5] Since the proposed revision to the Policy is limited to the approval of traffic allocation, the SEIR only provides CEQA clearance for traffic and traffic-related noise and air quality. Subsequent analysis under CEQA will be required at the time the City receives a specific development proposal for noise issues such as noise-land use compatibility and short-term construction noise impacts.

2.2.5 Conclusions Regarding Noise Impacts

Traffic noise generated by future development that would be allowed under the proposed Evergreen Development Policy Revision would not result in a significant long-term noise level increase. **(Less than Significant Impact)**

TABLE 2.2-1
NOISE LEVEL INCREASES FROM PROJECT TRAFFIC

Roadway	Segment	Background Conditions ADT (No Project)	Decibel Increase over Existing	Current Project ADT	Percentage Traffic Increase over Background Conditions	Decibel Increase over Background Conditions
Aborn Road	Ruby Ave. to Alessandro Dr.	21,480	4	22,310	3.9	0
Aborn Road	Mosher Dr. to Altamara Ave	15,140	8	15,370	1.5	0
Aborn Road	Murillo Ave to Mosher Dr.	14,235	9	14,310	0.5	0
Aborn Road	Altamara Ave to Ruby Ave	17,595	6	17,935	1.9	0
Aborn Road	Alessandro Dr. to White Rd	22,765	3	23,850	4.6	0
Aborn Road	U.S. 101 to King Road	5,205	4	5,215	0.2	0
Nieman Blvd	Capitol Expwy to Aborn Rd	17,540	3	19,460	11.0	0
Nieman Blvd	Woodberry Ln to Yerba Buena Rd	6,715	2	7,010	4.3	0
Quimby Rd	Tully Rd to Eastridge Rd	10,880	0	12,410	14.0	0
San Felipe Rd	Fowler Rd to Delta Rd	17,815	1	21,815	22.4	0
San Felipe Rd	Aborn Rd to Fowler Rd	23,665	1	27,945	18.1	0
Silver Creek Valley Rd	Eastbourne Dr to Hellyer Ave	25,300	3	25,395	0.37	0
Yerba Buena Rd	Yerba Buena Ave to Nieman Blvd	33,660	3	36,060	7.1	0
Yerba Buena Rd	Fowler Rd to Old Yerba Buena Rd	NA	5	NA	+/- 8	0
Yerba Buena Rd	San Felipe Rd to Old Yerba Buena Rd	37,435	5	39,095	4.4	0
Yerba Buena Rd	San Felipe Rd to Byington Dr	38,755	3	41,530	7.1	0
Yerba Buena Rd	Silver Creek Rd to Nieman Blvd	28,625	2	30,600	6.7	0

2.3 AIR QUALITY

2.3.1 Introduction and Regulatory Framework

The regulatory framework for air quality remains unchanged from that described in Section 4.4.1 of the certified EEHVS EIR.

2.3.2 Existing Air Quality

The level of development and traffic has not changed or increased substantially since the EEHVS EIR was prepared in 2006 and, therefore, the air quality characteristics described in Section 4.4.2 of the certified EIR are still valid.

2.3.3 Air Quality Impacts

2.3.3.1 *Thresholds of Significance*

For the purposes of this SEIR, an air quality impact is considered significant if the project would:

- violate an ambient air quality standard or contribute substantially to an existing or project air quality violation; or
- result in substantial emissions or deterioration of ambient air quality; or
- create objectionable odors; or
- expose sensitive receptors or expose the general public to substantial levels of toxic air contaminants; or
- alter air movement, moisture, or temperature, or result in any change in climate either locally or regionally.

2.3.3.2 *Long-Term Air Quality Impacts of the Proposed Evergreen Development Policy Revision*

Impacts on Regional Air Quality

As described in the previously certified EEHVS FEIR (Section 4.4, Air Quality), the vehicle trips generated under each EEHVS development scenarios were determined to generate regional pollutants in excess of BAAQMD significance thresholds and, therefore, resulted in a significant regional air quality impact. The proposed revision to the Policy will allow traffic allocation associated with development of 500 dwelling units, 500,000 square feet of commercial uses, and 75,000 square feet of office use. This development is estimated to generate approximately 48,415 average daily vehicle trips, a volume of trips sufficiently large to also result in a significant regional air quality impact. Comparing the current project's average daily traffic (ADT) with the traffic generated by the previous project scenarios evaluated in the FEIR (refer to FEIR Table 25), the current Evergreen Development Policy Revision would generate approximately 22 percent more trips per day than Background (No Project) scenario, which included the already approved 4.66 square feet of campus industrial uses and 217 dwelling units. The project ADT is estimated to generate approximately 292

pounds per day Reactive Organic Gases (ROG), 296 pounds per day nitrogen oxides, and 610 pounds per day of particulate matter (PM_{10}). The BAAQMD threshold of significance for each of these regional pollutants is 80 pounds per day. The project, therefore, would result in a significant regional air quality impact.

Impact AIR-1: The vehicle trips allowed by the proposed Evergreen Development Policy revision would generate regional pollutants in excess of BAAQMD significance thresholds. **(Significant Impact)**

Impacts on Local Air Quality

The pollutant of greatest concern at the local level is carbon monoxide (CO), which is generated in vehicle emissions of project-generated traffic. Congested intersections with a large volume of traffic have the greatest potential to cause high localized concentrations of CO. As described in the previously certified EEHVS FEIR (Section 4.4, Air Quality), CO concentrations were predicted for intersections with the highest traffic volumes and worst congestion. The data indicate that concentrations of CO would not exceed California's 8-hour standard at any location under any of the EEHVS scenarios, so the EEHVS scenarios would not result in a significant local air quality impact (refer to FEIR Table 39).[6] The proposed Evergreen Development Policy revision allows traffic allocation for substantially less development than any of the EEHVS scenarios; therefore, the proposed Evergreen Development Policy revision would not result in a significant impact on local air quality. (**Less-than-Significant Impact)**

2.3.3.4 *Mitigation for Long-Term Air Quality Impacts*

The following measures applied to the EEHVS Scenarios and would apply to development allowed by the proposed Evergreen Development Policy revision. These measures, which are included as part of the project, would partially reduce long-term air quality impacts, but *not* to a less-than-significant level:

MM AIR-1.1 New bus stops shall be constructed at convenient locations with pedestrian access to the project sites. Pullouts will be designed so that normal traffic flow on arterial roadways would not be impeded when buses are pulled over to serve riders.

MM AIR-1.2 Bicycle amenities shall be provided on each of the Evergreen Development Policy Revision pool sites. Each site will be reviewed and appropriate bicycle amenities shall be included. As appropriate, this shall include secure bicycle parking for office and retail employees, bicycle racks for retail customers and bike lane connections throughout each project site.

[6]Predicted 1-hour CO concentrations were not modeled since the 1-hour CO standard is considered to be less stringent than the 8-hour CO standard.

MM AIR-1.3 All buildings shall include outdoor electrical outlets so as to encourage the use of electrical landscape maintenance equipment.

MM AIR-1.4 All fireplaces to be installed in residences shall comply with the San José Wood-Burning Appliance Ordinance (#26133).

MM AIR-1.5 For non-residential development sites, shuttle bus service, where feasible, shall be provided to regional transit centers.

MM AIR-1.6 For non-residential development sites, all feasible and reasonable TDM measures such as ride-matching programs or guaranteed ride home programs shall be implemented.

2.3.4 Conclusions Regarding Air Quality Impacts

Development allowed by the proposed Evergreen Development Policy revision will result in increases in regional pollutants (e.g., ROG, NO_x, and PM_{10}) that are in excess of BAAQMD thresholds. Measures to reduce this impact are proposed, but the impact cannot be reduced to a less-than-significant level. **(Significant Unavoidable Impact)**

SECTION 3.0 CUMULATIVE IMPACTS

Cumulative impacts, as defined by CEQA, refer to the combined effects of two or more individual projects, (developments, programs, etc.) which when considered together are considerable or which compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant project impacts taking place over a period of time. The CEQA Guidelines (§15130) state that an EIR should discuss cumulative impacts and consider them significant when the project's contribution is "cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the impacts that might result from approval of past, present and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this SEIR.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence. To accomplish these two objectives, the analysis should include either a list of past, present and probable future projects or a summary of projections from an adopted general plan or similar document. The effects of past projects are generally reflected in the existing conditions described in the specific sections of this SEIR. For instance, the traffic from recently-approved projects is reflected in the Background Conditions described in Section 2.1, *Transportation*. The analysis must then determine what the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by §15065(a)(3) of the CEQA Guidelines.

The reader is referred to the previously certified FEIR for a detailed description and evaluation of cumulative impacts of the original EEHVS project, together with other recently approved and pending development throughout the City of San Jose. That discussion is not recreated here, as the currently proposed Evergreen Development Policy Revision is a much smaller project in scope than the original EEHVS project. While there may be pending applications on Opportunity Sites, those are not included in this cumulative analysis because pending applications on the Opportunity Sites were the focus and subject of the certified FEIR and the cumulative analysis in the FEIR is still valid.

The project proposes a revision to the Evergreen Development Policy to provide traffic allocation for the future development of defined uses in the Evergreen • East Hills area. For this reason, the only impacts evaluated in this SEIR are traffic and traffic-related noise and air quality impacts.

For informational purposes, pending development in the project area is summarized below and can be categorized as follows:

- Projects on file with City which were covered by FEIR (opportunity sites in the EEHVS)
- Projects on file with City which have traffic allocation
- Projects on file with City which do not have traffic allocation

Projects on file with City which were covered by FEIR (opportunity sites in the EEHVS)

The following pending projects were the subject of the previously certified FEIR and, therefore, were included in the FEIR cumulative analysis.

PDC05-048 (Berg) Southeast corner of Fowler and Yerba Buena Roads and both sides of future extension of Yerba Buena Road/Murillo Avenue between Fowler- 1,100 single-family attached and detached residences, 14 acres of private open space and 11 acres of public open space or school site on a 174.65 gross acre site

GP05-08-01C (Berg) South east corner of Fowler and Yerba Buena Roads and both sides of future extension of Yerba Buena Road/Murillo Avenue between Fowler and Aborn Roads- request to change the Land Use/Transportation Diagram designation from Campus Industrial to Medium Density Residential (8-16 DU/AC), Medium Low Density Residential (8 DU/AC) or Low Density Residential (5 DU/AC) and Public Park/Open Space and realignment of a Major Collector (60ft - 90ft) to accommodate between 510 and 1,050 single-family attached and detached dwelling units on a 175 acre site

PDC05-049(IDS) Eastside of Yerba Buena Road opposite Verona Road- 225 single-family detached residences and a 1 acre park on a 24.3 gross acre site

GP05-08-01D (IDS) Eastside of Yerba Buena Road opposite Verona Road- request to change the Land Use/Transportation Diagram designation from Campus Industrial to Medium Density Residential (8-16 DU/AC) or Medium Low Density Residential (8 DU/AC) and Public Park/Open Space and realignment of a Major Collector (60ft - 90ft) to accommodate between 110 and 225 single-family detached residences on a 24 acre site

PDC05-050 (Arcadia) South side of Quimby Road approximately 1,000 feet westerly of Capitol Expressway- 1,875 residential units, up to 100,000 square feet of commercial uses and 18 acres of public park/open space on an 81 gross acre site

GP05-08-01A(Arcadia) South side of Quimby Road approximately 1,000 feet westerly of Capitol Expressway- request to change the Land Use/Transportation Diagram designation from Public/Quasi Public, Medium Low Density Residential, Office, Industrial Park, and Public Park/Open Space to Mixed Use with no Underlying Land Use Designation on a 81 acre site

PDC05-051 (Pleasant Hills) Northeast corner of Tully and White Roads- 825 single-family attached and detached residences, 16 acres of public park/open space, 5 acres reserved for a potential elementary school and 1 acre reserved for a potential fire station on a 114 gross acre site

GP05-08-01B (Pleasant Hills) Northeast corner of Tully and White Roads- request to change the Land Use/Transportation Diagram designation from Private Recreation to Medium Density Residential (8-16 DU/AC) and Public Park/Open Space to accommodate between 540 and 825 single-family attached and detached residences on a 114 acre site

PDC05-052 (Yerba Buena OPCO) Northeast corner of Yerba Buena Road and Old Yerba Buena Road- 675 single-family detached residences and 39 acres of park/open space on 120 gross acres

GP05-08-01E (Yerba Buena OPCO)Northeast corner of Yerba Buena Road and Old Yerba Buena Road- request to change the Land Use/Transportation Diagram designation from Campus Industrial to Medium Density Residential (8-16 DU/AC) or Medium Low Density Residential and Public

Park/Open Space and realignment of a Major Collector (60ft - 90ft) to accommodate between 330 and 675 single-family detached residences on a 120 acre site

PDC05-053 (Evergreen Valley College) North side of Yerba Buena Road approximately 350 feet easterly of San Felipe Road- 500 residential units, up to 195,000 square feet of commercial and office uses and 1 acre of park/open space on 27 gross acres

GP05-08-01F (Evergreen Valley College) North side of Yerba Buena Road approximately 350 feet easterly of San Felipe Road -request to change the Land Use/Transportation Diagram designation from Public/Quasi-Public to Mixed Use with no Underlying Land Use Designation on a 27 acre site

Projects on File with City Which Do Have Allocation

The following projects were accounted for in the background conditions of this SEIR for their traffic allocation and other cumulative effects were addressed in the EEHVS FEIR.

PDC01-079 Story Road, west of Beltrami Drive- 5 residential units

PDC04-098 San Felipe Road, south of Yerba Buena Road- 9 residential units

PDC05-111 Clayton Road at Story Lane- 2 residential units

PDC99-098 Northeast corner of Fowler Road and Atila Avenue-1,237,559 square feet of campus industrial uses on 90.5 gross acres. This application would rezone a site currently entitled for campus industrial uses with a less intense development than the existing entitlement. This rezoning therefore, would result in less traffic than the existing entitlement and would not result in a new or more severe cumulative impact than was previously analyzed in the Final EIR.

Projects on File with City Which Do Not Have Traffic Allocation

The projects below would be eligible for traffic allocation of the proposed Evergreen Development Policy Revision, to the extent that they are consistent with the proposed policy. If they are consistent, then they would be occurring in response to the Policy revision and are specifically accounted for in this SEIR; they do not comprise cumulative development. One application listed below, GPA08-08-03, Dove Hill Road, would not be eligible for the proposed residential "pool" allocation, because it is non-traditional housing. This application, therefore, does represent cumulative development beyond that already addressed in the FEIR and that addressed in this SEIR. The impacts of this cumulative development is described with the description, below.

PDC07-052 Northeast corner of Toy Lane and Kettman Road- 2 residential units

PDC07-097 Southeast corner of Yerba Buena and Highway 101 (Dove Hill Road)- 29 residential units

PDC07-077 North of the intersection of Springbrook Avenue and Canyon Ridge Drive- 14 residential units

PDC03-015 Chisin Street, east of Yerba Buena Road- 21 residential units

GPA06-08-01 3000 Aborn Road- General Plan Amendment to Change Land Use Transportation Diagram from Village Center and Public Park/Open Space to Village Center on 2.22 acres and Medium High Density Residential (12-25 DU/AC) on 12.91 acres.

GPA08-08-03 East side of Dove Hill Road, approximately 400 feet north of Hassler Pwky- General Plan Amendment to Change Land Use Transportation Diagram from Non-Urban Hillside to General Commercial to allow 290-340 units of senior assisted living facility. This proposed use is not subject to the traffic allocation criteria. In addition, the majority of the traffic associated with the development would go through the Edenvale Development Policy area as traffic would go out the 101/Hellyer Avenue ramps. Assisted living facilities typically do not generate high level of traffic, because the residents rarely drive. Employees, deliveries and visitors comprise most of the trips to these facilities. This volume of trips at this location is not expected to make a considerable contribution to a new significant cumulative traffic impact. Similarly, the relatively small volume of vehicle trips would not result in any new cumulative traffic-related noise or air quality impacts.

GPA08-08-02 Northeast side of San Felipe Road 800 ft northwest of Silver Creek Rd and at the Northwest terminus of Grand Oak Way- General Plan Amendment to Change Land Use Transportation Diagram from Very Low Density Residential (2.0 DU/Ac) to Low Density Residential (5.0 DU/AC) to allow the construction of up to 35 single-family detached residences on an 18.2 gross acre site

GPA08-08-04 Westside of Cadwallader Avenue, 150 feet south of Prunetree Lane- General Plan Amendment to Change Land Use Transportation Diagram from Rural Residential (0.2 DU/AC) and Estate Residential (1.0 DU/AC) to Low Density Residential (5.0 DU/AC) on a 12.185-acre site

In summary, the project itself is the local cumulative development for the Evergreen Development Policy area, above and beyond the cumulative development that was already evaluated in the previously certified FEIR. Due to its geographic and man-made barriers, the area would not have local through trips beyond those trips associated with the project unless there were pending projects located immediately adjacent to the EDP boundaries (near McLaughlin or Story Road). There are no pending development applications that require traffic reports adjacent to the EEHDP boundaries. For this reason, there is no further discussion of cumulative traffic impacts in this SEIR. For the same reasons, there is no need to evaluate cumulative air or noise impacts, beyond that evaluated for the proposed project (the local cumulative condition). The proposed project would not contribute to significant cumulative impacts of traffic or traffic-generated noise or air quality impacts.[7] **(Less than Significant Cumulative Impact)**

[7] A discussion of the project's contribution to global climate change follows this section.

3.1 CUMULATIVE GLOBAL CLIMATE CHANGE IMPACTS

This section provides a general discussion of global climate change and focuses on emissions from human activities that alter the chemical composition of the atmosphere. The discussion on global climate change and greenhouse gas emissions is based upon the California Global Warming Solutions Act of 2006 (Assembly Bill (AB) 32), the 2006 Climate Action Team (CAT) Report to Governor Schwarzenegger and the Legislature, and research, information and analysis completed by the International Panel on Climate Change (IPCC), the United States Environmental Protection Agency, California Air Resources Board and the CAT.

Global climate change refers to changes in the Earth's weather including temperature, precipitation, and wind patterns. Global temperatures are affected by naturally occurring and anthropogenic-generated (generated by mankind) atmospheric gases, such as carbon dioxide, methane, and nitrous oxide.[8] These gases allow sunlight into the Earth's atmosphere, but prevent heat from radiating back out into outer space and escaping from the earth's atmosphere, thus altering the Earth's energy balance. This phenomenon is known as the "greenhouse effect".

The world's leading climate scientists have reached consensus that global climate change is underway, is "very likely" caused by humans, and hotter temperatures and rises in sea level "would continue for centuries," no matter how much humans control future emissions. A report of the Intergovernmental Panel on Climate Change (IPCC) - an international group of scientists and representatives concludes "The widespread warming of the atmosphere and ocean, together with ice-mass loss, support the conclusion that it is extremely unlikely that global climate change of the past 50 years can be explained without external forcing, and very likely that it is not due to known natural causes alone."[9]

Human activities have exerted a growing influence on some of the key factors that govern climate by changing the composition of the atmosphere and by modifying vegetation. The concentration of carbon dioxide in the atmosphere has increased from the burning of coal, oil, and natural gas for energy production and transportation and the removal of forests and woodlands around the world to provide space for agriculture and other human activities. Emissions of other greenhouse gases, such as methane and nitrous oxide, have also increased due to human activities. Carbon dioxide accounts for approximately 85 percent of total emissions from human sources, and methane and nitrous oxide account for almost 14 percent. Each of these gases, however, contributes to global warming at a different relative rate. Methane has a global warming potential 23 times that of carbon dioxide, while nitrous oxide is 296 times that of the same amount of carbon dioxide. To account for these differences, estimates of greenhouse gas emissions are often described in terms of carbon dioxide equivalents.

[8] IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: http://www.ipcc.ch/.

[9] *Climate Change 2007 - The Physical Science Basis Contribution of Working Group I to the Fourth Assessment Report of the IPCC*. February 2, 2007. (http://ipcc-wg1.ucar.edu/wg1/wg1-report.html]

The IPCC predicts a temperature increase of between two and 11.5 degrees Fahrenheit (F) (1.1 and 6.4 degrees Celsius) by the end of the 21st century under six different scenarios of emissions and carbon dioxide equivalent concentrations.[10] Sea levels are predicted to rise by 0.18 to 0.59 meters (seven to 23 inches) during this time, with an additional 3.9 to 7.8 inches possible depending upon the rate of polar ice sheets melting from increased warming. The IPCC report states that the increase in hurricane and tropical cyclone strength since 1970 can likely be attributed to human-generated greenhouse cases.

On a per-person basis, greenhouse gas emissions are lower in California than most other states; however, California is a populous state and the second largest emitter of greenhouse gases in the United States and one of the largest emitters in the world.[11] Transportation is the largest source of greenhouse gas emissions in California, followed by industrial sources and electric power generation.[12]

According to the 2006 Climate Action Team Report[13] the following climate change effects and conditions can be expected in California over the course of the next century:

- A diminishing Sierra snowpack declining by 70 percent to 90 percent, threatening the state's water supply;
- Increasing temperatures from eight to 10.4 degrees Fahrenheit (F) under the higher emission scenarios, leading to a 25 to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Coastal erosion along the length of California and sea water intrusion into the Sacramento River Delta from a four-to 33-inch rise in sea level. This would exacerbate flooding in already vulnerable regions;
- Increased vulnerability of forests due to pest infestation and increased temperatures;
- Increased challenges for the state's important agricultural industry from water shortages, increasing temperatures, and saltwater intrusion into the Delta; and
- Increased electricity demand, particularly in the hot summer months.

3.1.1 Regulatory Context for Global Climate Change

Global climate change resulting from greenhouse gas emissions is an emerging environmental concern being raised and discussed at the international, national, and statewide level. At each level,

[10] IPCC. 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. (http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-spm.pdf]

[11] California Legislative Analyst's Office. 2006. *Analysis of the 2006-07 Budget Bill (Governor's Climate Change Initiative).* (http://www.lao.ca.gov/analysis_2006/resources/res_04_anl06.html]

[12] California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature.* (http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT.PDF]

[13] California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature.* (http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT.PDF]

agencies are considering strategies to control emissions of gases that contribute to global warming.[14] Regulatory efforts in California that apply to the project are summarized below.

3.1.1.1 *State of California Executive Order S-3-05*

In June 2005, the Governor of California signed Executive Order S-3-05 which identified Cal/EPA as the lead coordinating State agency for establishing climate change emission reduction targets in California. A "Climate Action Team", a multi-agency group of state agencies, was set up to implement Executive Order S-3-05. Under this order, the state plans to reduce greenhouse gas emissions to 80 percent below 1990 levels by 2050. Greenhouse gas emission reduction strategies and measures to reduce global warming were identified by the California Climate Action Team in 2006.[15]

3.1.1.2 *Assembly Bill (AB) 32—The California Global Warming Solutions Act of 2006*

Subsequently, in the fall of 2006, California AB 32, the global warming bill, was signed into law. AB 32 requires the state Air Resources Board (ARB) to adopt regulations by January 1, 2008 to require reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with that program. The bill requires achievement by 2020 of a statewide greenhouse gas emissions limit equivalent to 1990 emissions, and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions.

Strategies include, but are not limited to, new vehicle emission standards, enforcement of diesel truck anti-idling requirements, capture of more methane from landfills, hydrofluorocarbon (HCF) reduction strategies for the use and disposal of refrigerants, manure management in agricultural operations, and increased use of alternative fuels. In December 2007, the ARB outlined a reporting and monitoring program for greenhouse gases. Modifications to regulatory programs of various state agencies are on-going. An inventory of 1990 emissions has not been completed to date.

AB32 requires ARB to adopt mandatory reporting rules for sources of substantial greenhouse gases by January 1, 2009, adopt a plan for reducing greenhouse gas emission by January 1, 2009 that outlines how emission reductions will be achieved, and adopt regulations by January 1, 2011 to obtain the maximum technologically feasible and cost-effective reductions in greenhouse gases.

The ARB prepared and released a *Climate Change Draft Scoping Plan* in June 2008 (http://www.arb.ca.gov/cc/scopingplan/document/draftscopingplan.pdf). The draft Scoping Plan, developed by ARB with input from the Climate Action Team, proposes a comprehensive set of actions designed to reduce overall carbon emissions in California, improve our environment, reduce

[14] On April 2, 2007, the United States Supreme Court issued a 5-4 decision in *Massachusetts v. EPA*, which holds that the U.S. Environmental Protection Agency has authority under the Clean Air Act to regulate greenhouse gas emissions from new vehicles. The U.S. EPA had previously argued it lacked legal authority under the Clean Air Act to regulate greenhouse gases. The majority opinion of the Supreme Court decision noted that greenhouse gases meet the Clean Air Act's definition of an "air pollutant," and the EPA has the statutory authority to regulate the emission of such gases from new motor vehicles.

[15] California Environmental Protection Agency. 2006. *Climate Action Team Executive Summary Climate Action Team Report to Governor Schwarzenegger and the California Legislature.* (http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT_EXECSUMMARY.PDF]

our dependence on oil, diversify our energy sources, save energy, and enhance public health while creating new jobs and enhancing the growth in California's economy. ARB will revise the Draft Plan, based upon continuing analysis and public input, and release the Proposed Scoping Plan in early October, and it will be considered by the Board in November 2008.

3.1.1.3 *Senate Bill 97—Modification to the Public Resources Code*

On August 24, 2007, Governor Schwarzenegger signed SB 97 which requires the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, including, but not limited to effects associated with transportation or energy consumption. The Resources Agency is required to certify and adopt these guidelines by January 1, 2010.

Currently there is no established guidance, from the state or in published CEQA case law, for the determination of what constitutes a significant global climate change impact or what measures are necessary to off-set new greenhouse gas emissions.

3.1.2 Global Climate Change Impacts

Given the global scope of global climate change and the large quantity of greenhouse gas emissions, the challenge under CEQA is for a Lead Agency to present information on the possible impacts of a project on global warming in a way that is meaningful to the decision making process. Under CEQA, there are two essential questions: would a project increase or substantially contribute to an environmental impact *or* would the project be subject to impacts from the environment associated with global climate change.

Accordingly, projects can both contribute to global climate change and be exposed to impacts from global climate change, and mitigation measures can be identified to minimize project impacts to and from global climate change.

3.1.2.1 *Thresholds of Significance*

Under State Senate Bill (SB) 97 (August 2007), the State Office of Planning and Research is to certify and adopt guidelines for evaluation of the effects of greenhouse gas emissions and mitigation of those effects by January 1, 2010. Neither CEQA nor the CEQA Guidelines currently provide any methodology for analysis of greenhouse gases. Absent established standards for gauging the significance of greenhouse gas emissions, a primarily qualitative approach will be used to evaluate possible impacts for this project.

For the purposes of this SEIR, a global climate change impact would be significant if the project would:

- result in substantial new greenhouse gas emissions; or
- be adversely impacted by sea level rise of two to three feet; or
- be adversely impacted by increasing temperatures from eight to 10.4 degrees Fahrenheit (F) under the higher emission scenarios, leading to a 25 to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas; or

- be adversely impacted by increased electricity demand, particularly in the hot summer months

At this time, for a project to be a substantial source of new greenhouse gas emissions it would have to meet the following criteria:

- result in a net increase in greenhouse gas emissions, in terms of carbon dioxide equivalents, that could substantially impede local, regional or statewide efforts to reduce overall greenhouse gas emissions to 1990 levels.

3.1.2.2 *Impacts from the Project (Changes in Emissions of Greenhouse Gases)*

The project proposes a revision to the Evergreen Development Policy to provide for traffic allocation for the future development of the following uses:

- a pool of 500 residential dwelling units
- 500,000 square feet of commercial retail space
- 75,000 square feet of office space

The primary sources of greenhouse gas emissions for the proposed project are anticipated to be combustion of fossil fuels for vehicle trips from the allowed traffic allocation, and from grid-delivered electricity for lighting, appliances, and building cooling for the related development, and from building heating with natural gas.[16] Given the lack of knowledge regarding the specific size(s) and locations of future development allowed by the proposed revision to the Evergreen Development Policy, it would be very speculative to make any assumptions about construction phasing, duration, or construction equipment use. For this reason, the potential greenhouse gas emissions resulting from future construction are not discussed further in this section.

Currently, there is not one model capable of estimating all of a project's direct and indirect greenhouse gas emissions.[17] One model, the URBEMIS 2007 model (Version 9.2) can estimate vehicle miles traveled for a particular project and the carbon dioxide emissions from use was also made based upon factors from the California Air Pollution Control Officers Association (CAPCOA) document on CEQA and Climate Change[18] and protocol guidance from the California Climate Action Registry (CCAR)[19]. This model predicts daily emissions associated with land use developments. The model combines predicted daily traffic activity, associated with the proposed different land use types, with emission factors from the State's mobile emission factor model (i.e., EMFAC2007). The following discussion is a good faith effort at estimating possible greenhouse gas emissions from transportation, heating and cooling, and electricity use.

[16] While this SEIR focuses only on traffic and traffic-generated noise and air quality impacts, this discussion of the project's contribution to global climate change includes the emissions of the actual development allowed by the traffic allocation, instead of *just* the traffic allocation.
[17] Source: California Air Pollution Control Officers Association. 2008. *CEQA & Climate Change, Evaluating and addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*
[18] www.capcoa.org page 61
[19] http://www.climateregistry.org/resources/docs/protocols/grp/GRP_V3_April2008_FINAL.pdf

Vehicle Emissions

The proposed traffic allocation is estimated to result in approximately 48,415 net new daily vehicle trips. Assuming the following average vehicle trip lengths: 1) Residential - 5 miles, 2) Office - 7 miles, 3) Neighborhood Retail - 1 mile, and 4) Regional Retail - 5 miles, future occupants of the allowed development are estimated to travel an additional 107,315 miles per day. Based on the estimated miles traveled for the project and the URBEMIS 2007 model emissions, the project total carbon dioxide from vehicle emissions would be approximately 56 metric tons per day (or 20,580 metric tons per year).

Electricity Use

Development associated with the proposed traffic allocation would result in a net increase in electricity use of approximately 11,100,000 kWh/ft^2/year. The generation of electricity through the combustion of fossil fuels typically yields carbon dioxide, as well as smaller amounts of nitrogen oxide and methane. The greenhouse gas emissions from total project electricity use are estimated to be approximately 3,074 metric tons per year carbon dioxide, 0.338 metric tons per year methane, and 0.0186 metric tons per year nitrogen oxide.

Area Source Emissions

Area source emissions of the project, which come primarily from natural gas space heating and cooling, are estimated to generate approximately 3,604 metric tons per year of carbon dioxide.

Combined Project Transportation, Electricity and Space Heating Emissions

The combined greenhouse gas emissions from buildout of the project is summarized in Table 3.1-1, below. Adding the carbon dioxide equivalent units, the total greenhouse gas emissions of the project would be 39,154 metric tons per year.

TABLE 3.1-1

SUMMARY OF ESTIMATED PROJECT GREENHOUSE GAS EMISSIONS AND CARBON DIOXIDE (CO_2) EQUIVALENTS (metric tons/year)

	Carbon Dioxide	Methane	Nitrogen Oxide
	27,259	41	37
Carbon Dioxide Equivalents	27,259	943	10,952

As stated previously, there is no regulatory standard or guideline by a federal, state, or regulatory agency to be able to measure carbon dioxide, methane, or nitrogen oxide emissions to definitively determine whether the project emissions would directly or cumulatively result in a significant global climate change impact.

The project is consistent with many policies of the City's adopted Green Vision, a comprehensive strategy that is intended to lead the City in becoming more energy efficient, producing and using electricity from clean renewable sources, creating green buildings, diverting waste from landfills, creating greener street systems, delivering recycled water, and reducing greenhouse gas emissions. This vision includes 10 bold goals that will serve as a roadmap to reduce the carbon footprint of the city by more than half. These goals are described below.

Within 15 years, the City of San José in tandem with its residents and businesses will:

1. Create 25,000 Clean Tech jobs as the World Center of Clean Tech Innovation
2. Reduce per capita energy use by 50 percent
3. Receive 100 percent of our electrical power from clean renewable sources
4. Build or retrofit 50 million square feet of green buildings
5. Divert 100 percent of the waste from our landfill and convert waste to energy
6. Recycle or beneficially reuse 100 percent of our wastewater (100 million gallons per day)
7. Adopt a General Plan with measurable standards for sustainable development
8. Ensure that 100 percent of public fleet vehicles run on alternative fuels
9. Plant 100,000 new trees and replace 100 percent of our streetlights with smart, zero emission lighting
10. Create 100 miles of interconnected trails

The proposed project would allow infill development, some of which may be mixed use, in an already urbanized area. The provision of infill development is consistent with smart growth principles and would not be wasteful in its generation of greenhouse gases. The provision of more commercial development in the predominantly residential Evergreen is anticipated to reduce longer vehicle trips out of the area to more remote job and retail centers. The provision of commercial and office growth within the Evergreen area allows for internalization of vehicle trips within the area, as well as providing opportunities for jobs for residents of Evergreen, which would reduce work commute vehicle trip lengths. The reduction in vehicle miles resulting from internalized commercial trips and creation of employment opportunities allowed by the proposed Evergreen Development Policy Revision will result in a reduction in per capita energy use of Evergreen area residents.

All future development allowed by the proposed Evergreen Development Policy revision would be subject to the City policies in place at the time they are proposed, including requirements related to recycled water use, stormwater quality, alternative energy use and other "green" policies currently being considered by the City. The proposed development policy includes criteria that any residential projects from the residential pool between 6 and 35 units in size either provide diverse housing types, community meeting room space, or green building measures which are equivalent to having the project qualify for LEED Silver or 75 points with the Green Point Rating System, or incorporate a comparable level of Green Building Design Measures.

Through the features listed above, the proposed Policy revision will implement several of the greenhouse gas (GHG) reduction measures identified in the California Governor's Office of Planning and Research *CEQA and Climate Change Technical Advisory* (Attachment 3, June 19, 2008). These include the following Land Use and Transportation measures:

- Implement land use strategies to encourage jobs/housing proximity; promote transit-oriented development, and encourage high density development along transit corridors. Encourage

compact, mixed use projects, forming urban villages designed to maximize affordable housing and encourage walking, bicycling, and the use of public transit systems.

- Encourage infill, redevelopment, and higher density development whether in incorporated or incorporated settings.

- Implement street improvements that are designed to relieve pressure on a region's most congested roadways and intersections.

Future development allowed by the Policy revision will be subject to the City's tree replacement and planting requirements, which will be consistent with the following urban forestry measures:

- Plant trees and vegetation near structures to shade buildings and reduce energy requirements for heating/cooling.

- Preserve or replace onsite trees (that are removed due to development) as a means of providing carbon storage.

The project's requirements to qualify for LEED Silver or the equivalent will be consistent with the following Green Building measure:

- Encourage public and private construction of LEED certified (or equivalent) buildings.

The project would result in an increase in greenhouse gas emissions, in terms of carbon dioxide equivalents, but through its consistency with many of the City's Green Vision policies and the state recommended CHG reduction measures, it is not expected to impede local, regional or statewide efforts to reduce overall greenhouse gas emissions to 1990 levels.

Impact C-GCC-2: The projects would result in an increase in greenhouse gas emissions; however, the provision of infill development within an urbanized area, is consistent with many of the City's Green Vision goals, and is not expected to contribute to a significant cumulative global climate change impact. **(Less than Significant Cumulative Impact)**

3.1.2.3 *Impacts to the Proposed Project from Global Climate Change*

As noted previously, climate change effects expected in California over the next century could include reduced water supply, impacts from sea level rise, an increase in the number of days per year ozone pollution levels are exceeded, and increased electricity demand, particularly in the hot summer months.

Impacts to the project from global climate change could include reduced water availability due to droughts. Water would be used on the site for potable water supplies, plumbing fixtures, swimming pool, laboratories, and landscape use. At this time, based on recent case law, neither the State Department of Water Resources, nor the Santa Clara Valley Water District has established the effects of global climate change on water supplies in California or locally. The project site is located nearly 30 miles from Monterey Bay and is not within possible inundation areas from an up to three meter

(approximately 10 feet) rise in sea level. The project, therefore, would not be directly impacted by sea level rise.

An increase in summer temperatures and the number of days ozone pollution levels are exceeded can contribute to adverse health effects ranging from minor restricted activity days and work loss days, to hospitalizations due to asthma-related, bronchitis, and other respiratory or cardiovascular symptoms, to premature deaths. The proposed Evergreen Development Policy Revision does not propose a sensitive population and the level of development would not contribute substantially to these effects.

Energy use within the allowed residential and commercial development could rise during the hot summer months because energy use for building cooling could increase. In the event regional demand exceeded supply, this could result in temporary interruptions in power supply. For the proposed uses, this would be primarily an economic, rather than an environmental impact and is not discussed further. **(Less Than Significant Cumulative Impact)**

4.4.4 Mitigation and Avoidance Measures

All future development allowed by the proposed Evergreen Development Policy revision would be subject to the City policies and regulations in place at the time they are proposed. This will include policies related to recycled water use, stormwater quality, alternative energy, and other "green" policies currently being considered by the City. The proposed development policy includes criteria that any residential projects from the residential pool between 11 and 35 units in size either provide diverse housing types, community meeting room space, or green building measures which are equivalent to having the project qualify for LEED Silver or 75 points with the Green Point Rating System, or incorporate a comparable level of Green Building Design Measures.

SECTION 4.0 ALTERNATIVES TO THE PROPOSED PROJECT

CEQA requires that an EIR identify alternatives to a project as it is proposed. The CEQA Guidelines specify that the EIR should identify alternatives that "will feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project." The purpose of this section is to determine whether there are alternatives of design, scope or location that will substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives," or are more expensive. (Section 15126.6)

In order to comply with the purposes of CEQA, it is important to identify alternatives that reduce the significant impacts that are anticipated to occur if the project is implemented and to try to meet as many of the project's objectives as possible. The Guidelines emphasize a common sense approach -- the alternatives should be reasonable, should "foster informed decision making and public participation," and should focus on alternatives that avoid or substantially lessen the significant impacts.

In the case of this Supplemental EIR, it is supplementing an already certified EIR that examined seven development scenarios, or alternatives, for the Evergreen • East Hills area.

As described previously in Section 2.1., *Transportation*, the thresholds of significance for traffic impacts under the existing Evergreen Development Policy are very stringent. The intent of the thresholds was to preclude additional development in the Evergreen • East Hills area unless such development included substantial roadway improvements as mitigation. In practical terms, virtually any level of development will result in a significant traffic impact under the existing Evergreen Development Policy. This is particularly true of residential development; the addition of one or more residential trips to an intersection operating at LOS E or F is a significant impact under the standards of the existing Evergreen Development Policy.

The purpose of evaluating alternatives in an EIR is to assess whether there are other ways to achieve the project objective(s), while at the same time avoiding the identified significant impacts of the project. The significant unavoidable impacts of the proposed project include transportation and transportation-generated air quality impacts. In this case, since virtually any development in the Evergreen • East Hills area would result in significant traffic impacts, there is no practical build alternative that would meet this criterion. Similarly, for air quality, the 80 pounds per day threshold of significance established by BAAQMD is very stringent. Reducing the level of development to a point where this threshold would not be exceeded would result in a project substantially smaller than that proposed, which would not fulfill the objectives established by the City Council as discussed below.

4.1 NO PROJECT ALTERNATIVE

The CEQA Guidelines require an EIR to include a "No Project" alternative, which addresses both "the existing conditions, as well as what will be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure and community services."

The No Project Alternative would not allow the development associated with the proposed Evergreen Development Policy revision traffic allocation. This means that little to no additional development would be allowed in the Evergreen • East Hills area area beyond what currently exists or is already approved. The largest approved, but not constructed development in the Evergreen • East Hills area is 4.66 million square feet of campus industrial development on the Legacy and Berg Sites. Additionally, the Arcadia property could be development with 217 dwelling units. The No Project Alternative was evaluated as Scenario I in the previously certified EIR.

4.1.1 Comparison of Environmental Impacts

The No Project Alternative is reflected in the Background Conditions scenario in this SEIR traffic impact analysis, Section 2.1, *Transportation*. The intersection levels of service under background (No Project) conditions are shown in Table 2.1-7. The No Project Alternative would avoid all the impacts of the proposed project, because it would not allow *any* additional development to occur in the Evergreen • East Hills area. The No Project Alternative would not meet any of the objectives of the project to increase commercial and office development in the area to reduce vehicle trips leaving the area, and it would not allow any additional residential development on vacant, underutilized and infill parcels.

4.2 REDUCED SCALE ALTERNATIVE

As noted above, virtually any level of residential development would result in a significant traffic impact under the existing Evergreen Development Policy. A Reduced Scale Alternative was considered to avoid the proposed project's significant unavoidable freeway impacts, and the significant unavoidable impact to the intersection of Capitol Expressway and Story Road. The proposed traffic allocation would need to be reduced to 60% of its current size, in order to avoid the significant freeway impacts; and the project would need to be reduced to 55% of its current size, in order to avoid the significant unavoidable traffic impact to the intersection of Capitol Expressway and Story Road. This level of reduction would result in an alternative traffic allocation for 275 dwelling units, 275,000 square feet of commercial development, and 41,250 square feet of office space.

4.2.1 Comparison of Environmental Impacts

As noted above, the Reduced Scale Alternative was sized to avoid the project's significant unavoidable freeway segment impacts, and the impact at the intersection of Capitol Expressway and Story Road. It is estimated that the Reduced Scale Alternative would generate approximately 26,628 average daily trips (ADT). This ADT is 55% of the project's ADT and is 67% of the Background (No Project) scenario ADT, which includes the already approved 4.66 million square feet of campus industrial uses and 217 dwelling units. The Reduced Scale Alternative ADT is estimated to generate approximately 162 pounds per day Reactive Organic Gases (ROG), 163 pounds per day nitrogen oxides, and 334 pounds per day of particulate matter (PM_{10}). The BAAQMD threshold of significance for each of these regional pollutants is 80 pounds per day. The Reduced Scale Alternative, therefore, would reduce, but not avoid, the project's significant regional air quality impact.

The level of development allowed by the Reduced Scale Alternative does not fully meet the project objectives established by the City Council.

4.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. Based on the above discussions, the environmentally superior alternative is the Reduced Scale Alternative, because it would avoid the project's significant unavoidable freeway segment impacts, as well as the significant impact to the intersection of Capitol Expressway and Story Road. The Reduced Scale Alternative would reduce, but not avoid, the project's significant unavoidable regional air quality impact. The level of development allowed by the Reduced Scale Alternative does not fully meet the project objectives established by the City Council.

5.0 SIGNIFICANT UNAVOIDABLE IMPACTS

If the project is implemented, the following significant unavoidable environmental impacts will occur:

- Significant traffic impacts at the intersection of Capitol Expressway and Story Road
- Significant traffic impacts at the intersection of White Road and Stevens Lane
- Significant traffic impacts to nine directional freeway segments
- Significant regional air quality impacts

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