

Environmental Assessment

Blossom Hill Mixed-Use Development

CP18-022 and T18-034



Studio E Architects

Prepared by the



In Consultation with



February 2020

Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: Blossom Hill Mixed Use Project

Responsible Entity: City of San José

Grant Recipient: Charities Housing

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Project Location:

The project site is located at 397 Blossom Hill Road in the City of San José. The Santa Clara County Assessor's Parcel Number for the site is 690-25-021. The location of the project site is shown on Figures 1, 2, and 3.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Charities Housing is proposing the 147-unit, 100-percent affordable Blossom Hill Mixed Use Project in San José, California. The project is intended to serve individuals earning 30 to 50 percent of the County Area Median Income (AMI). The Santa Clara County Housing Authority (SCCHA) will be providing Section 8 housing assistance to the project in the form of Project Based Vouchers (PBVs) for 49 apartment units, as authorized under Section 8 of the Housing Act of 1937, as amended. PBV housing assistance will be provided for an initial contract term of 20 years, with a possible automatic renewal of an additional 20 years, subject to annual appropriations from the federal government and SCCHA's determination that the owner is in compliance with the Housing Assistance Payment contract and other applicable HUD requirements, for a total of forty (40) years. The estimated total funding for rental subsidy is \$27,200,880 (\$1,360,044 annually) for the initial 20-year term of the Housing Assistance Payment contract and contingent upon the availability of Section 8 funds as allocated by the federal government.

Charities Housing proposes to develop the Blossom Hill Mixed Use Project on an approximately two-acre site at 397 Blossom Hill Road in San José. The project would include demolition of an existing 32,000 square-foot commercial building and construction of a four-story, U-shaped mixed-use development with 145 affordable restricted apartment units (restricted for seniors and adults with special needs) and two units for on-site staff (unrestricted units), 16,066 square feet of commercial space, and at-grade parking. The project site plan is shown of Figure 4. The residential units would consist of 102 studio units, 15 junior one-bedroom units, 15 one-bedroom units, 13 two-bedroom units, and two three-bedroom units (for on-site staff). The maximum height of the proposed building would be 53 feet above ground surface at the top of the roof and 57 feet at the top of the parapet.

The proposed building would be set back approximately 10 feet from the edge of the sidewalk on Blossom Hill Road to the south, 70 feet from the commercial property line to the west, 85 feet from the multi-family residential property line to the north, and 21 feet from the commercial office property line to the east.

The development proposes approximately 6,813 square feet of residential common open space area, including a 3,674 square-foot central courtyard area and 3,139 square-foot second level terrace with landscaping, outdoor seating, barbeque and dining areas, exercise, and game areas. New landscaping, including trees, would be planted around the perimeter of the building, in the central courtyard area and along the street frontage. The types of trees proposed to be planted include crape myrtle, date palm, native California sycamore, Engelmann oak, Chinese evergreen elm, and native coast live oak trees.

The project would provide 96 vehicular parking spaces at-grade, with 79 surface parking spaces and 17 spaces within an enclosed parking garage. Vehicular access to the site would be provided via two new 26-foot wide two-way driveways off Blossom Hill Road. One of the driveways would be shared

with the adjacent commercial office property to the east. The parking garage entrance would be located on the west side of the building.

Stormwater runoff from the site would be directed to new on-site storm drain inlets and would be transported via 6- to 18-inch storm drainpipes to bioretention areas on-site. Stormwater would be treated, then directed to the City's existing 60-inch storm drain line on Blossom Hill Road.

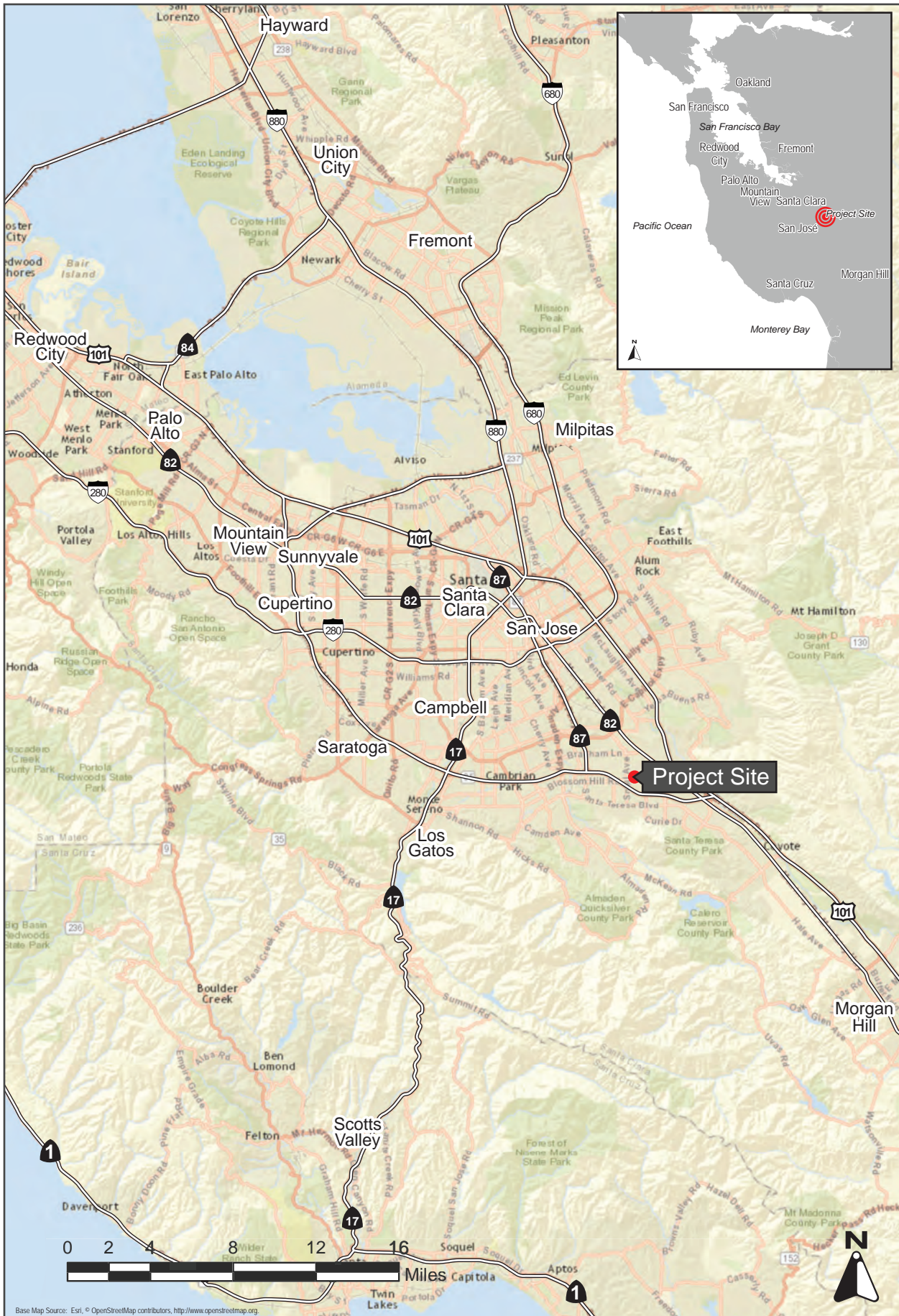
The project would construct new 4- to 6-inch sanitary sewer lines that would connect to existing and new manholes on-site. The wastewater would be directed to the 21-inch sanitary sewer line on Blossom Hill Road. The project would construct 2- to 6-inch water lines that would connect to an existing 8-inch water main on Blossom Hill Road. A new fire hydrant is proposed to be installed along the Blossom Hill Road project frontage.

The duration of demolition and construction of the project would be approximately 17 months, from January 2020 to June 2021. The project would require excavation and off-haul of approximately 500 cubic yards of soil. No soil would be imported to the site. The types of equipment that would be used for construction include excavators, graders, paving equipment, forklifts, backhoes, and air compressors. The total estimated cost for the project would be \$90 Million.

Funding Sources:

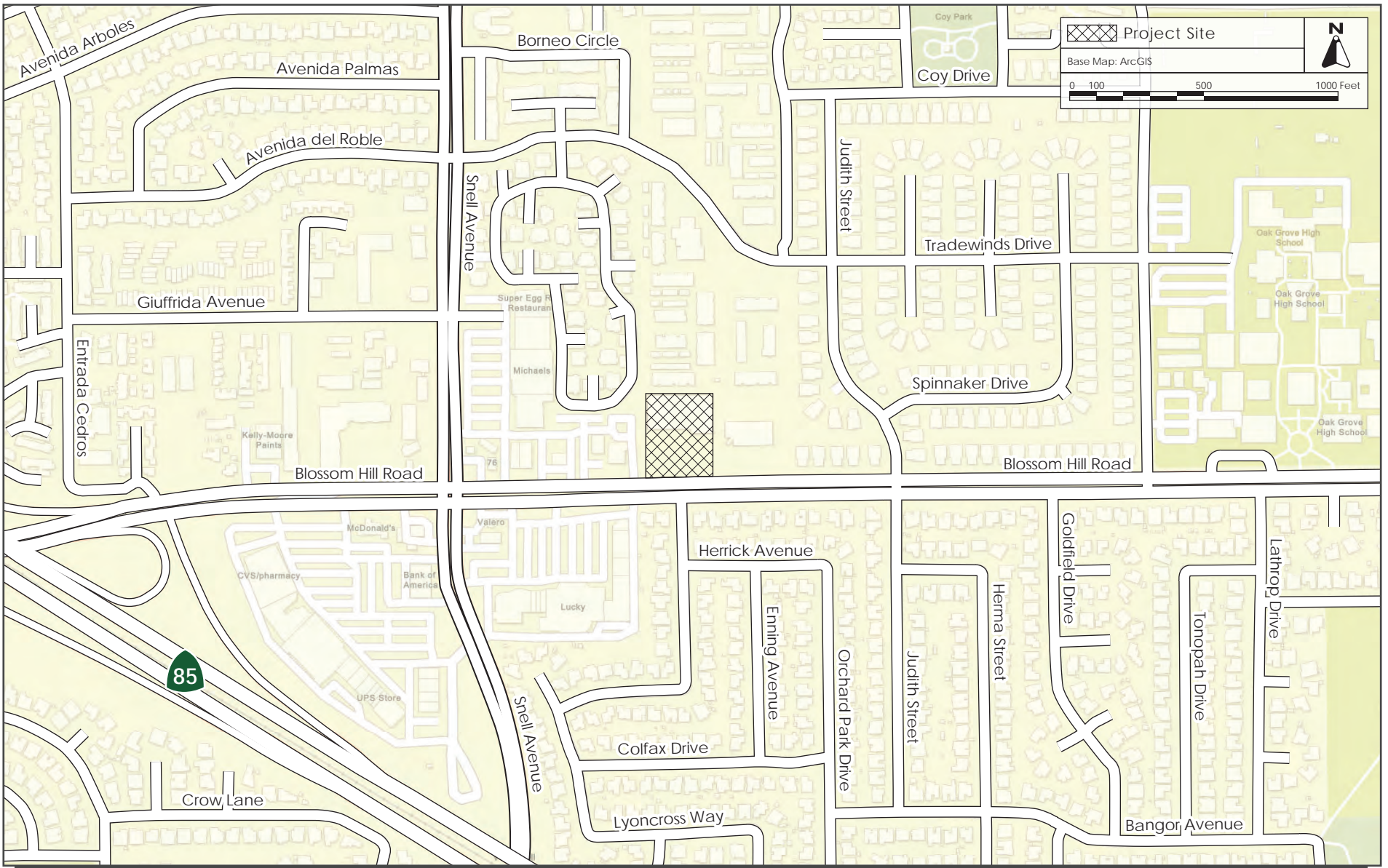
- Project-Based Vouchers through the Santa Clara County Housing Authority: \$1,360,044 annually

Estimated Total Project Cost: Approximately \$90 Million



REGIONAL MAP

FIGURE 1



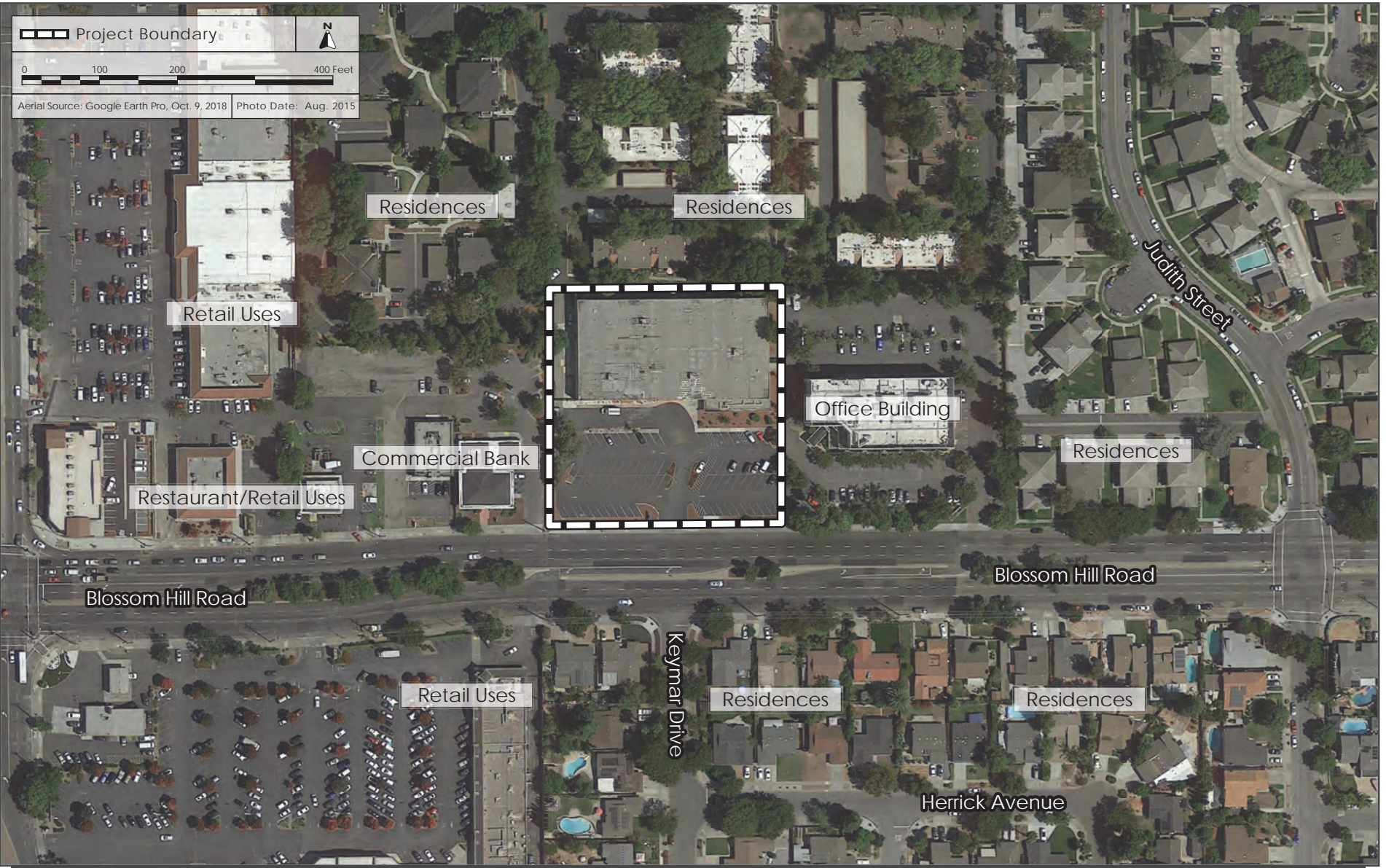
Project Site

Base Map: ArcGIS

0 100 500 1000 Feet

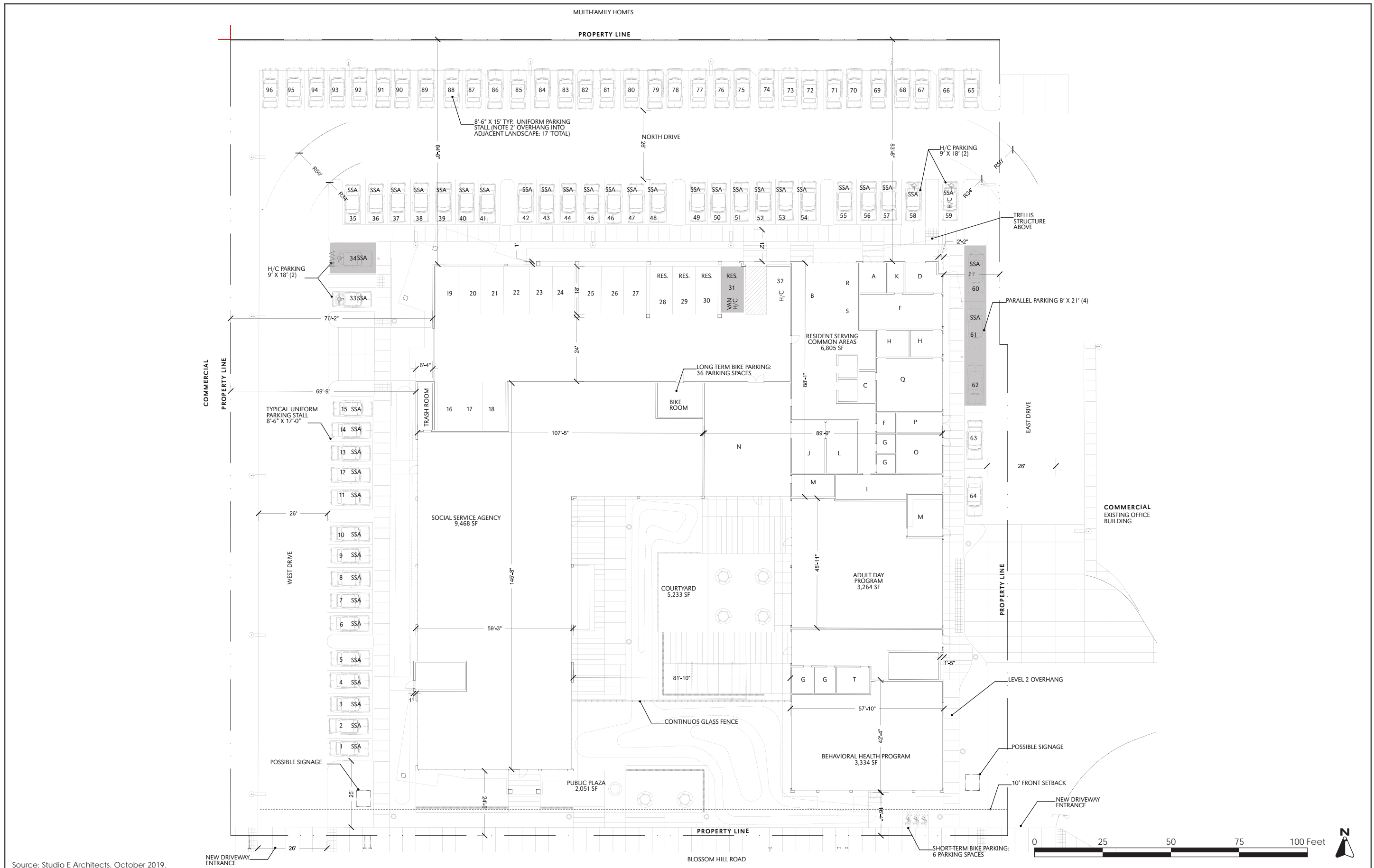
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3



SITE PLAN

FIGURE 4

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Subsidized rental housing for lower income individuals is in high demand in the City of San José and throughout Santa Clara County. To help subsidize tenant rents within the targeted income levels and to reach deeper levels of affordability within the City, federal rental assistance is needed. The City of San José is completing U.S. Department of Housing and Urban Development (HUD) NEPA review for the affordable residential mixed-use development project, because the project sponsor, Charities Housing, proposes to use funding from Section 8 Project Based Vouchers to subsidize tenants' rents.

The Santa Clara County Housing authority would provide rental assistance to Charities Housing for 49 proposed residential units designated for occupancy by seniors, disabled, and special-need individuals. Two three-bedroom residential units would be designated for on-site staff and would not require federal funding. The project is intended to serve individuals earning 30 to 50 percent of the County Area Median Income (AMI).

The 1988 Mayor's Task Force on Housing developed the initial policies that governed the City's affordable housing program. Since that time, the City has adopted a series of five-year plans to govern the allocation of affordable housing funding. Policies included in the Consolidated Plan, the Ten-Year Plan to End Chronic Homelessness, and the Housing Element are incorporated into the City's Affordable Housing Investment Plan (HIP). The most recent HIP was adopted by the City Council on June 4, 2018 for Fiscal Years 2017/18-2021/22.

These policies contribute to the creation of a comprehensive Citywide housing vision and ensure that affordable housing resources are distributed equitably and serve those most in need. Faced with competing priorities and limited resources, the City must develop policies that balance these concerns while continuing to provide the greatest good to the largest number of residents.

The proposed action would help meet the City of San José's goals for housing that are listed in the General Plan, including: (1) providing housing in a range of housing densities, especially higher densities, and product types, including rental and for-sale housing, to address the needs of an economically, demographically, and culturally diverse population; (2) increasing, preserving, and improving San José's affordable housing stock; (3) creating and maintaining safe and high quality housing that contributes to the creation of great neighborhoods and great places; and (4) providing housing that minimizes the consumption of natural resources and advances the City's fiscal, climate change, and environmental goals. The Blossom Hill Mixed-Use Project would make a positive impact in addressing the need for affordable housing in San José while enhancing the overall look and feel of the neighborhood.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Regional Outlook

The Bay Area continues to be one of the most expensive real estate markets in the country. Most Bay Area homes are unaffordable for families with average household incomes. As detailed in the San José Housing Element, despite the prevalence of highly skilled, high-wage workers in Silicon Valley, data from the California Employment Development Department (EDD) show a divergent trend in the region: while about one third of Santa Clara County's workforce command high salaries in the range

of approximately \$86,000 to \$144,000 per year, nearly half of all jobs pay low-income wages between \$19,000 and \$52,000 annually. Further, projections from EDD anticipate that more than half of the new jobs created in the County over the next few years will pay \$15.00 per hour or less. These working-class wages are not enough to pay for housing costs without creating a housing burden, defined as housing costs that exceed 30 percent of income. Low levels of housing production, relative to demand, contribute to this region's high housing costs. Further, the market has not produced housing that is naturally affordable to low-income households, and public resources for affordable housing have been significantly diminished in recent years. As such, both the existing and future need for affordable housing in San José is considerable and far exceeds available supply. The low housing availability also contributes to higher home prices. In many Bay Area communities, mostly large single-family homes are planned for and built. This offers consumers limited choice in housing types, especially relatively more affordable smaller homes, condominiums, townhomes, or apartments.

Multi-family housing can provide affordable options for individuals and families. Multi-family housing comes in a range of prices, but it can often include more affordable options than single-family homes. The proportion of multi-family housing built in the Bay Area has increased in the last few years. About one third of the region's total housing stock is in multi-family structures.

Local Perspective

According to the Santa Clara County Housing Needs Allocation, 2014 to 2022 (see Table 2.4-1) prepared by the Association of Bay Area Governments (ABAG), the City of San José should add 35,080 new units by 2022 (of which 9,233 would be very low, 5,428 would be low, and 6,188 would be moderate income units) in order to meet the needs for affordable housing.

Table 1: Santa Clara County Housing Needs Allocation, 2014-2022

Jurisdiction	Very Low <50 Percent	Low < 80 Percent	Moderate <120 Percent	Above Moderate	Total
Campbell	253	138	151	391	933
Cupertino	356	207	231	270	1,064
Gilroy	236	160	217	475	1,088
Los Altos	169	99	112	97	477
Los Altos Hills	46	28	32	15	121
Los Gatos	201	112	132	174	619
Milpitas	1,004	570	565	1,151	3,290
Monte Sereno	23	13	13	12	61
Morgan Hill	273	154	185	316	928
Mountain View	814	492	527	1,093	2,926
Palo Alto	691	432	278	587	1,988
San José	9,233	5,428	6,188	14,231	35,080
Santa Clara	1,050	695	755	1,593	4,093
Saratoga	147	95	104	93	439
Sunnyvale	1,640	906	932	1,974	5,452
Unincorporated	22	13	214	28	277
Total	16,158	9,542	10,636	22,500	58,836
Source: Association of Bay Area Governments. <i>Final Regional Housing Needs Allocation – Santa Clara County</i> . Adopted July 18, 2013.					

Physical Setting/ Existing Conditions

The two-acre project site is located north of Blossom Hill Road and approximately 680 feet east of Snell Avenue within an urbanized area of San José. The project site is currently developed with a commercial building, which was formerly occupied by a furniture store and is temporarily being used by non-profit organizations for office purposes. The project site is surrounded by multi-family residences to the north, a commercial office building to the east, Blossom Hill Road and single-family residences to the south, and commercial buildings and multi-family residences to the west.

The Envision San José 2040 General Plan land use designation for the project site is *Neighborhood/Community Commercial* and the site is zoned *Commercial Neighborhood*.

COMPLIANCE WITH 24 CFR 50.4, 58.5, AND 58.6 LAWS AND AUTHORITIES

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not located within any airport influence area, airport clear zones, or safety zones (see Figures 5 through 7). [Source: (1)]
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is an infill parcel within an urbanized area of San José. The site is not located in or near a coastal zone or coastal barrier resource area. [Source: (2)]
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located within the Federal Emergency Management Agency's (FEMA's) Flood Zone D (Map No. 06085C0264H, May 18, 2009), which is defined as areas where flood hazards are undetermined but possible (see Figure 8). The project site is not located in a FEMA-designated Special Flood Hazard Area and, therefore, flood insurance is not mandatory for the proposed project. The project is in compliance with flood insurance requirements. [Source: (3)]

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Bay Area meets State and federal ambient standards for criteria pollutants and ozone precursors with the exception of ground-level ozone, PM₁₀, and PM_{2.5}. The region is considered a non-attainment area for ground-level ozone and PM_{2.5} under the Federal Clean Air Act and the California Clean Air Act and for PM₁₀ under the California Clean Air Act.</p> <p>Regional Air Quality</p> <p>As part of an effort to attain and maintain ambient air quality standards for ozone, PM_{2.5}, and PM₁₀, the Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance for criteria air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NO_x), PM₁₀, and PM_{2.5} and apply to both construction period and operational period emissions impacts which are summarized in Table 1 of the 397 Blossom Hill Road Air Quality and Greenhouse Gas Assessment (refer to Appendix A).</p> <p><i>Construction Criteria Pollutant Emissions</i></p> <p>Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Construction period emissions were modeled based on construction schedule information provided by the applicant and California Emissions Estimator Model (CalEEMod) data. Refer to Appendix A for details about the modeling, data inputs, and assumptions. Table 1 summarizes the average daily construction emissions of ROG, NO_x, PM₁₀ exhaust, and PM_{2.5} exhaust during construction of the project.</p> <p>With the implementation of Standard Permit Conditions to reduce fugitive dust and exhaust emissions during construction, the project's ROG, NO_x, PM₁₀ exhaust and PM_{2.5} construction emissions would be below BAAQMD significance thresholds (refer to Table 2 of Appendix A). The</p>
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		<p>project's criteria air pollutant construction emissions would not result in a substantial contribution to regional air pollution.</p> <p><i>Operational Criteria Pollutant Emissions</i></p> <p>Operational air emissions from the project would be generated primarily from vehicles driven by residents of the proposed development. CalEEMod was used to estimate emissions from operation of the proposed project.</p> <p>The project's estimated operational emission of ROG, NO_x, PM₁₀, and PM_{2.5} would be below BAAQMD significance thresholds (refer to Table 3 of Appendix A). The project would, therefore, not result in a substantial increase in criteria air pollutants from operational emissions or have a significant effect on regional air quality.</p> <p>Based on the traffic analysis in Appendix G, the project would generate 632 net new daily trips. This increase in daily traffic trips would not cause any affected intersections to exceed a total volume of 44,000 vehicles per hour. Therefore, the project would not result in a substantial increase in local criteria air pollutant emissions (i.e., carbon monoxide) nor would the project result in an air quality violation for local pollutants.</p> <p>The project would not cause a violation of a federal ambient air quality standard or substantially contribute criteria air pollutant emissions. The project would, therefore, be in compliance with the federal Clean Air Act.</p> <p>[Sources: (4), (5), Appendix A]</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is not located in a coastal zone, as defined by the California Coastal Act (Public Resources Code, Division 20, Section 3000 et seq.). The nearest coastal zone is located approximately 20 miles southwest of the site in Santa Cruz County. A Coastal Development permit is not required for the project.</p> <p>[Sources: (2)]</p>

<p>Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>A Phase I Environmental Site Assessment (ESA) and a Phase II ESA were prepared to ASTM E-1527 standards for the project site in August 2017 and December 2018.</p> <p>The project site was historically used for agricultural purposes and contains structures that could contain lead-based paint. Based on the recommendations of the Phase I ESA, a total of 20 near-surface soil samples were collected at the site in October 2018 and November 2018 and analyzed for organochlorine pesticides, arsenic and lead. Based on the results of the sampling, the chemicals of concern in the on-site soils were found to be below regulatory screening levels and background levels. Therefore, the project would not create a significant hazard to the public or the environment through the release of pesticide chemicals or lead into the environment.</p> <p>The project proposes to demolish the existing building on-site; the age of the building determines that it likely contains lead-based paint or asbestos-containing materials. Adherence to the Standard Permit Conditions discussed in the Mitigation Measures and Conditions section of this Environmental Assessment, would avoid the exposure of construction workers and adjacent residents to hazardous levels of lead and asbestos during demolition.</p> <p>[Sources: (6), Appendix B]</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The USFWS was contacted for a list of threatened and endangered species that may occur within the boundary of the proposed project and/or be affected by the proposed project (see Appendix G). The species of concern are:</p> <ul style="list-style-type: none"> • San Joaquin kit fox • California least tern • California red-legged frog • California tiger salamander • Delta smelt • Bay checkerspot butterfly • Contra Costa goldfields

		<ul style="list-style-type: none"> • Metcalf Canyon jewelflower • Robust spineflower • Santa Clara Valley Dudleya <p>The existing on-site commercial building and paved parking lot was constructed in the mid-1970s. The site is in an urban area surrounded by residential and commercial development. Given the history of development and disturbance on-site and the urban environment, no natural sensitive habitats which would support endangered, threatened or special status plant or wildlife species would occur on or adjacent to the site.</p> <p>No rare, threatened, endangered, or special status species of flora or fauna are known to inhabit the site, and no sensitive species are anticipated in this area of the City of San José.</p> <p>The project site is located within the study area of the Santa Clara Valley Habitat Plan/Natural Community Conservation Plan. According to the Santa Clara Valley Habitat Agency Geobrowser, the project site is designated as <i>Urban-Suburban</i> and is not located in any Land Cover Fee Zones or Plant or Wildlife Survey Area.</p> <p>If construction of the proposed project occurs during the bird nesting season (February 1-August 31), construction activities have the potential to impact nesting birds that are protected under the Migratory Bird Treaty Act. Mitigation measures (MM BIO-4.1 through MM BIO-4.4), which include nesting bird surveys and buffer zones, would be implemented to avoid the potential for construction related impacts. With implementation of the above mitigation measures, the project would comply with the Endangered Species Act.</p> <p>[Sources: (7), Appendix C]</p>
<p>Explosive and Flammable Hazards 24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>An <i>Explosives and Fire Hazards Review</i> was completed on September 14, 2018 for the proposed project.</p> <p>The review included a visual survey of the project area and consultation with the Santa Clara County</p>

		<p>Environmental Health Department (SCCEHD). The review and survey was completed in accordance with 24 CFR Part 51 Subpart C. The purpose of the review and survey was to identify facilities in the vicinity of the project site with significant observed or reported Specific Hazardous Substances storage in aboveground containers, and to evaluate the Acceptable Separation Distance (ASD) for the storage containers with respect to the project site.</p> <p>Six businesses within 2,000 feet of the project site, were identified with the storage of specific hazardous substances, and the ASD was calculated for each. The hazardous substance stored at all six facilities was used motor oil. The ASDs corresponding to the amount of motor oil stored at the facilities were all substantially less than the distance to the proposed building on the site.</p> <p>Therefore, all identified above-ground storage containers satisfy the required ASD for the quantities of the chemicals present. In conformance with HUD 24 CFR Part 51 C ,the project site is located outside of the respective ASDs for the identified explosive/ flammable chemicals (i.e., motor oil) stored at facilities within 2,000 feet of the project site.</p> <p>[Source: Appendix D]</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in an urban area and would not impact any protected farmlands. The project is not actively farmed, subject to a Williamson Act Contract, or designated as Prime Farmland. The project site is designated as “Urban and Built-up land” on the 2016 Santa Clara County Important Farmland Map; therefore, the project complies with the Farmland Protection Policy Act.</p> <p>[Sources: (8) and (9)]</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is not located within a 100-year flood zone (see Figure 8). Based on the FEMA flood insurance maps for the City of San José, the project site is designated Zone D, defined as areas with an undetermined, but possible, chance of flooding. Zone D areas are not subject to flood management provisions. Therefore, the project</p>

		<p>complies with Executive Order 11988, section 2(a) and 24 CFR Part 55.</p> <p>[Source: (10)]</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is not listed on the City of San José Historic Resources Inventory, California Register, or the National Register of Historic Places. Given the existing building (constructed in 1976) is less than 50 years of age and is not of exceptional importance, the building is not considered a historic resource. The project APE for historic/architectural resources would be the immediately adjacent parcels to the north, east, and west.⁹⁰ Multi-family residences are located on the parcels to the north at 308 and 310 Tradewinds Drive, a multi-family building at 5493 Sean Circle and commercial bank at 405 Blossom Hill Road are located west of the site, and a commercial office building at 393 Blossom Hill Road is located east of the site. The buildings to the north, east and west were constructed in the 1970s, and, therefore, less than 50 years of age. The buildings lack architectural distinction and are not eligible to be listed as historic resources.</p> <p>The project's Area of Potential Effect (APE) for archaeological impacts is limited to the project site (see Figure 9). A Section 106 Archaeological Literature Search and Initial Native American Consultation were completed for the project on January 10, 2019. A records search for the project site was completed through the California Historical Resources Information System at the Northwest Information Center. Based on the results of the records search, no archeological resources were identified within the project site. Native American burials and other resources, however, have been discovered within one half-mile of the project site. As a result, an on-site presence/absence exploration was completed in March 2019 to identify the potential presence of archaeological resources. No archaeological deposits or cultural resources materials were discovered at the site during the presence/absence exploration.</p>

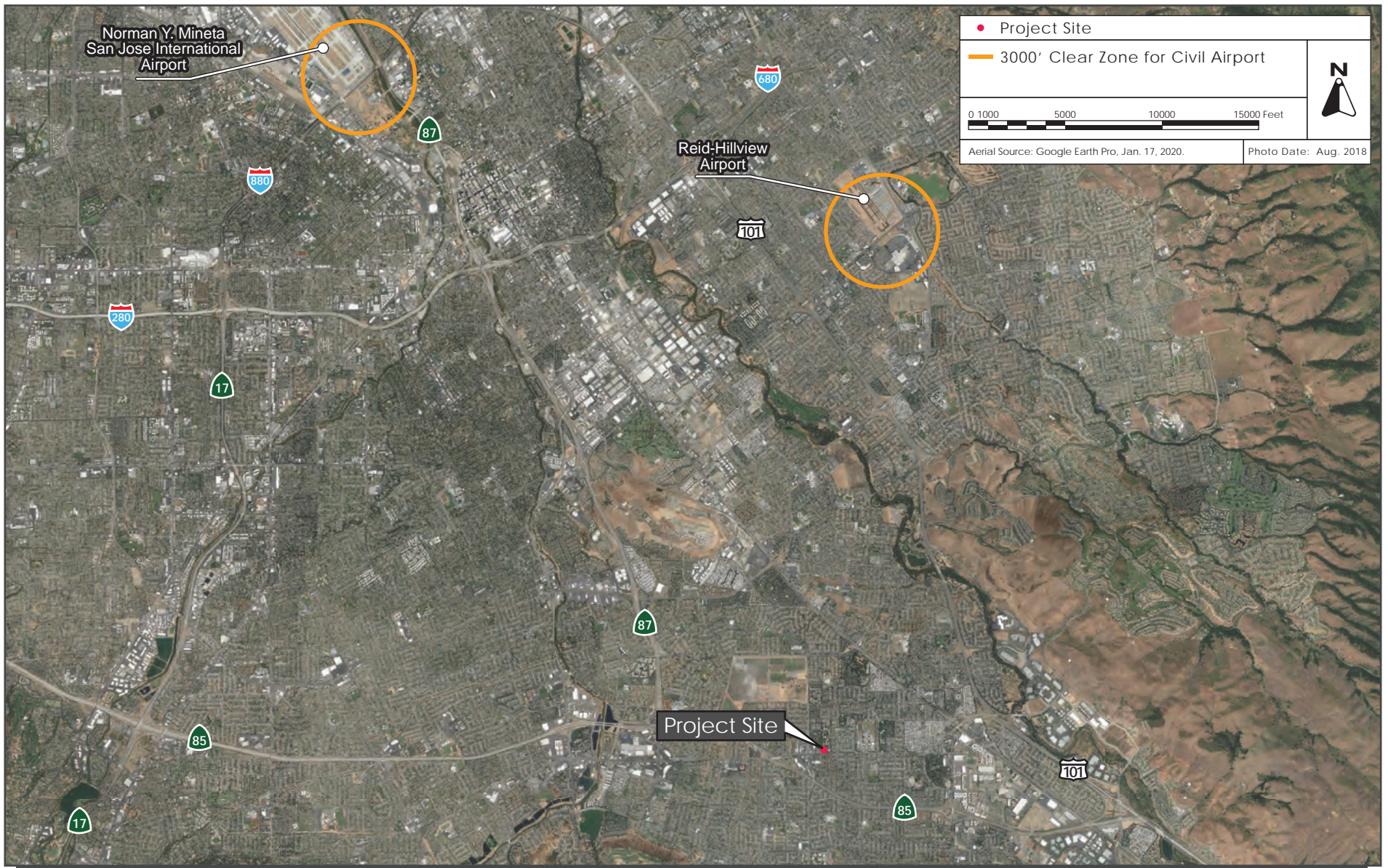
⁹⁰ Personal Communication, Franklin Maggi, Archives & Architecture. *RE: Scope for 397 Blossom Hill Sr. Housing Project - San Jose*. May 24, 2018.

		<p>A review of the Sacred Lands File by the Native American Heritage Commission (NAHC) did not identify any Native American resource; however, the NAHC provided a contact list of seven Native American individuals/organizations with knowledge of cultural resources in the project area. No tribal cultural resources were identified based on the consultation with these individuals/organizations and, therefore, these resources are not present on the site.</p> <p>Concurrence with this determination has been requested from the State Historic Preservation Officer on January 22, 2019. A response is pending.</p> <p>[Sources: (11), (12), and (13)]</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>HUD environmental noise regulations are set forth in 24 CFR Part 51B. The following noise standards for new housing construction would be applicable to this project:</p> <p>Interior:</p> <ul style="list-style-type: none"> • <u>Acceptable</u> – 45 DNL or less <p>Exterior:</p> <ul style="list-style-type: none"> • <u>Acceptable</u> – 65 DNL or less. • <u>Normally unacceptable</u> – exceeding 65 DNL but not exceeding 75 DNL. • <u>Unacceptable</u>– Exceeding 75 DNL. <p>The primary source of noise in the area is traffic along nearby roads. Occasional aircraft overflights also affect the noise environment in the area.</p> <p>A Noise and Vibration Assessment was completed for the project site by <i>Illingworth & Rodkin, Inc.</i>, on April 3, 2019. The assessment included one long-term measurement (taken approximately 65 feet north of the centerline of Blossom Hill Road) and one short-term noise measurement (in the northwest corner of the site, approximately 350 feet from the center of Blossom Hill Road).</p>

		<p style="text-align: center;"><i>Exterior Noise Environment</i></p> <p>Consistent with HUD guidelines, the noise exposure 10 years in the future was considered in addition to the existing noise exposure. Future cumulative exterior noise levels at the project site would continue to result primarily from traffic. Based on the comparison between existing and future traffic volumes and trip generation data provided for the project, future traffic noise levels along Blossom Hill Road are anticipated to increase by one dB over existing levels.</p> <p>The project’s exterior use areas would include a courtyard and outdoor patio on Level 1 and a lookout terrace on Level 2. The Level 1 courtyard area would be exposed to noise levels up ranging from 66 DNL (in the interior portions of the courtyard) to 74 DNL (in areas closest to Blossom Hill Road). The outdoor patio on Level 1 and the lookout terrace on Level 2 would be exposed to noise levels up to 62 DNL.</p> <p>Exterior noise levels throughout the Level 1 courtyard would be considered “normally unacceptable” by HUD standards. Although noise levels in the courtyard area would exceed HUD noise standards, the project applicant would implement Permit Conditions to reduce interior noise levels to acceptable HUD standards (see the Permit Conditions in the Mitigation Measures and Conditions section of this Environmental Assessment).</p> <p>Noise levels in outdoor patio and lookout terrace would be considered “acceptable” by HUD standards for residential exterior use.</p> <p style="text-align: center;"><i>Interior Noise Environment</i></p> <p>The calculated exterior noise levels at north facing façades and the northern façade facing the courtyard would be less than 65 DNL and would be considered “acceptable” by HUD standards. Under HUD guidelines, it is assumed that standard</p>
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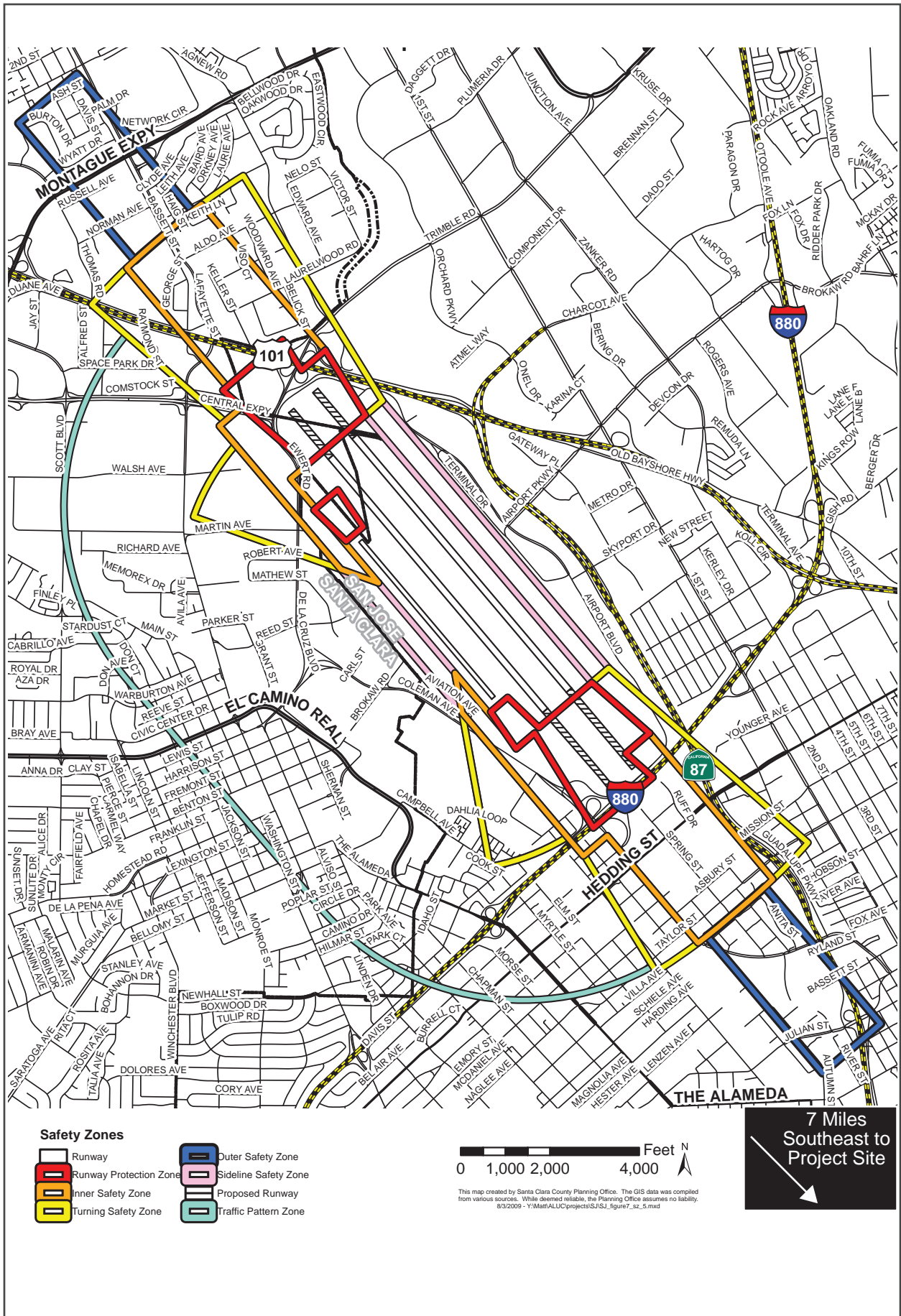
		<p>construction would provide sufficient noise attenuation to achieve an interior noise level of 45 dBA DNL or less if the exterior level is 65 dBA DNL or less.</p> <p>Exterior noise levels at the east, west, and south residential façades would exceed 65 dBA DNL and would be considered “normally unacceptable” by HUD standards. The east and west façades would be required to provide a minimum of 25 decibels of attenuation; the south façades would be required to provide 30 decibels of attenuation.</p> <p>For the residential units with south facing façades adjacent to Blossom Hill Road, the applicant will install forced-air mechanical ventilation and windows and exterior doors with STC ratings of 32 or higher to meet the HUD interior noise level standard (45 dBA DNL). Windows and doors can be kept closed at the occupant’s discretion to control noise intrusion indoors.</p> <p>With the implementation of the identified Permit Conditions including installation of a forced-air mechanical ventilation system (listed in the Mitigation Measures and Conditions section of this Environmental Assessment), the project would be in compliance with the interior noise standards of the HUD Noise Abatement and Control regulations of 24 CFR 51 B.</p> <p>[Source: Appendix E]</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is not in an area designated by the USEPA as being supported by a sole source aquifer.</p> <p>[Source: (14)]</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The nearest designated wetland is a riverine system along Canoas Creek, located approximately 0.75-mile west of the project site (see Figure 10).</p> <p>The project site is an infill parcel located in an urban area and is surrounded by existing development. The site does not contain any wetlands or riparian habitat; therefore, no wetlands</p>

		would be impacted and the project complies with Executive Order 11990. [Source: (15)]
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project site is not located within a mile of a designated wild and scenic river system. There are no wild and scenic rivers in Santa Clara County. The project would not conflict with the Wild and Scenic River Act of 1968. [Source: (17)]
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project proposes affordable housing and would not have any disproportionately high health or other negative effects on minority or low-income populations. The site is currently developed with a commercial building temporarily being used by non-profit organizations for office purposes. The project would not displace any minority-owned businesses or residents. The project would facilitate the General Plan goals of the City of San José and provide much-needed rental assistance to benefit low-income populations. Therefore, the project complies with Executive Order 12898. [Source: (17)]



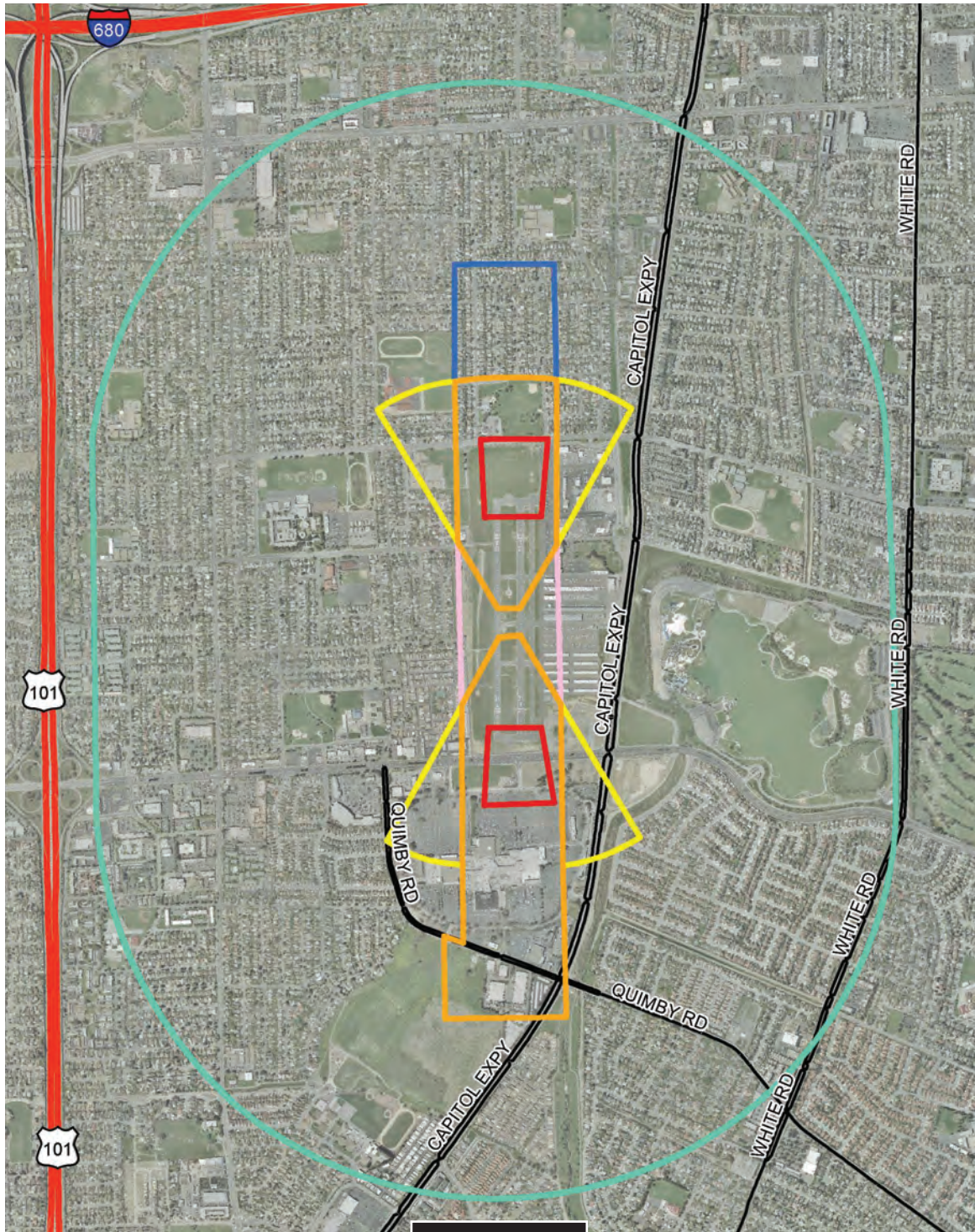
AIRPORT CLEAR ZONES

FIGURE 5



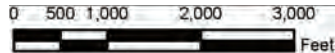
SAN JOSÉ INTERNATIONAL AIRPORT SAFETY ZONES

FIGURE 6



- Safety Zones**
- Inner Safety Zone
 - Outer Safety Zone
 - Runway Protection Zone
 - Sideline Safety Zone
 - Turning Safety Zone
 - Traffic Pattern Safety Zone

4.5 Miles South to Project Site



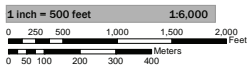
REID-HILLVIEW AIRPORT SAFETY ZONES

FIGURE 7



SCALE

Map Projection:
 GCS, Geospatial Reference System 1983
 Vertical Datum: NAVD83
 For information about the specific vertical datum for elevation features, datum conversions, or vertical monuments used to create this map please see the Flood Insurance Study(FIS) Report for your community at <https://msc.fema.gov>



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, X, AEZ
		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
OTHER AREAS OF FLOOD HAZARD		Area with Reduced Flood Risk due to Levee See Notes, Zone X
		Area with Flood Risk due to Levee Zone D
		NO SCREEN Area of Minimal Flood Hazard, Zone X
OTHER AREAS		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-6627) or visit the FEMA Flood Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction. To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Basemap information shown on this FIRM was provided in digital format by USDA, Farm Service Agency (FSA). This information was derived from NAIIP, dated April 11, 2018.

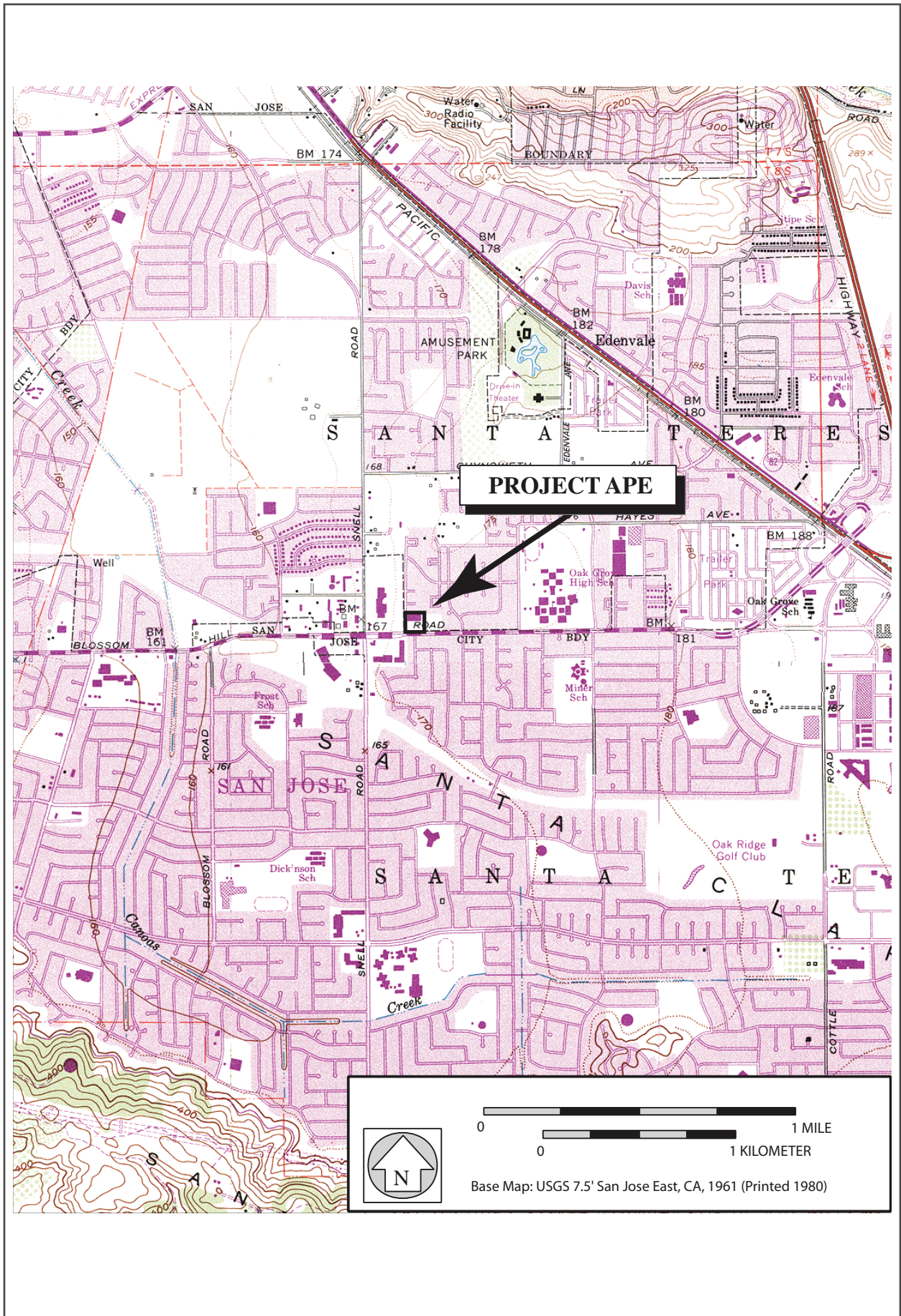
This map was exported from FEMA's National Flood Hazard Layer (NFHL) on 4/24/2019 6:20:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. For additional information, please see the Flood Hazard Mapping Updates Overview Fact Sheet at <https://www.fema.gov/media-library/assets/documents/118418>

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date.

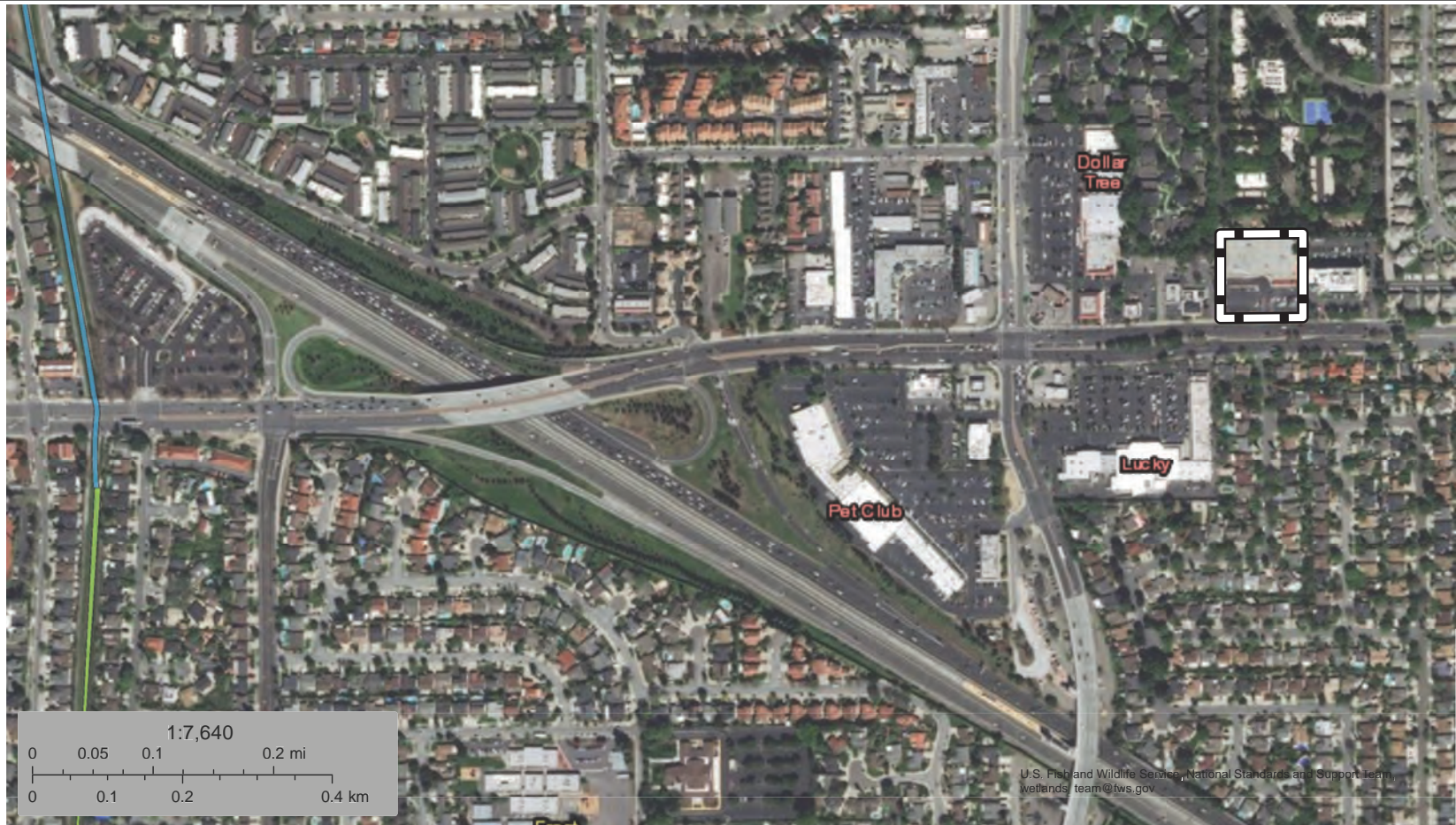
FEMA FLOOD INSURANCE RATE MAP

FIGURE 8



USGS 7.5 MINUTE QUADRANGLE

FIGURE 9



April 23, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

Project Site

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
 This page was produced by the NWI mapper

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>The project site has a General Plan land use designation of <i>Neighborhood/Community Commercial (N/CC)</i> and <i>Commercial Neighborhood (CN)</i> zoning. The project site is located in the Blossom Hill/Snell Urban Village. There is currently no Urban Village Plan adopted for the Blossom Hill/Snell Urban Village; residential projects in a non-approved Urban Village can move forward on sites with a commercial land use designation if they are 100 percent affordable housing and comply with General Plan Policy IP-5.12. The project would provide 145 restricted affordable apartment units and two on-site staff unrestricted units. The project would require a Conditional Use Permit for construction of a four-story, mixed-use development with residential and commercial office uses in the <i>CN</i> zoning district.</p> <p>The proposed project is consistent with the permitted land uses under the General Plan land use designation and would be consistent with building height, landscaping, and parking requirements of the City’s Residential Design Guidelines and guidelines for affordable housing developments. The proposed mixed-use development would not conflict with the surrounding residential or commercial uses.</p> <p>[Sources: (17) and (18)]</p>

<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>3</p>	<p style="text-align: center;"><i>Soil Suitability/Slope/Erosion</i></p> <p>The project site is located in a relatively flat area of San José. The site is underlain by the Santa Clara Valley alluvial basin.</p> <p>The project site is not located in a California Geological Survey Fault Rupture or Landslide Hazard Zone. The site is located in a Liquefaction Hazard Zone. Based on the results of the geotechnical investigation completed by <i>Silicon Valley Soil Engineering</i>, however, there are no liquefiable soils present on-site. The project would be designed to withstand soil hazards identified on the site, in conformance with the recommendations of a site-specific geotechnical investigation.</p> <p>The native surface soil at the project site has a moderate to high expansion potential when subjected to fluctuations in moisture. The San José Department of Public Works would review development plans for conformance with City and State standard engineering practices. The City Geologist will review and approve the required site-specific geotechnical report and issue a Geologic Clearance before the building permit is issued. The project will conform to the Standard Permit Conditions and recommendations of a site-specific geotechnical report, including design considerations for proposed foundations.</p> <p>[Sources: (19), (20), (21), Appendix F]</p> <p style="text-align: center;"><i>Drainage/Stormwater Runoff</i></p> <p>Construction of the proposed project would disturb the ground and expose soils, thereby increasing the potential for wind- or water-related erosion and sedimentation at the site until the completion of construction. The City’s National Pollutant Discharge Elimination System (NPDES) General Permit, urban runoff policies, and the Municipal Code are the primary means of enforcing erosion control measures. Construction activities would be subject to the requirements of the aforementioned policies and regulations. Further, the project would incorporate Standard Permit Conditions which includes best Management Practices to reduce the potential for erosion and water quality impacts during construction and would comply with the City’s erosion control policies.</p> <p>Post-construction, the proposed project would not alter the existing drainage pattern of the site or area or increase the amount of runoff in a manner that could potentially exceed the</p>
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		<p>capacity of existing stormwater system or result in erosion or siltation on- or off-site. The proposed project would decrease the impervious surface area, and associated surface runoff, on the site. Because the project would replace more than 10,000 square feet of impervious surfaces, the City of San José requires that post-construction measures are undertaken that comply with the requirements of the NPDES Municipal Regional Stormwater permit, and the project includes a post-construction stormwater control plan to manage and treat stormwater.</p> <p>[Source: (22)]</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>4</p>	<p>The project would not create a risk of explosion, release of hazardous substances or other dangers to public health.</p> <p>Mitigation measures and design measures have been incorporated into the project to reduce potential impacts related to hazardous materials and noise.</p> <p style="text-align: center;"><i>Hazardous Materials and Safety</i></p> <p>As discussed in the Contamination and Toxic Substances section of this EA, adherence to Standard Permit Conditions would avoid the exposure of construction workers and adjacent residents to hazardous levels of lead and asbestos during demolition. The project site is not located within a Very-High Fire Hazard Severity Zone for wildland fires designated by CalFIRE and would not expose people or structures to wildfires.</p> <p>The project site is not located within the airport influence area (AIA) of the Reid-Hillview or Norman Y. Mineta San José International Airports and, therefore, is not subject to the policies in the Comprehensive Land Use Plans (CLUPs). The project would not be subject to the Federal Aviation Administration’s (FAA’s) FAR Part 77 height requirements due to the distance of the site from the airports. Therefore, the project would not result in a safety hazard or excessive noise, due to aircraft operations, for people residing or working in the project area.</p> <p>The project would not include the storage of explosive or flammable materials/chemicals at the site. The site is at an acceptable separation distance from off-site facilities that contain explosive or flammable chemicals. Therefore,</p>

	<p>flammable/explosive chemicals would not be a hazard to future residents at the site.</p> <p>[Sources: (23), Appendices B and D]</p> <p style="text-align: center;"><i>Seismicity</i></p> <p>The project site is located in the San Francisco Bay Area, which is considered one of the most seismically active regions in the United States. The project site is located in a liquefaction hazard zone, however, no liquefiable soils are present on-site. Therefore, the potential for liquefaction to occur at the site is low.</p> <p>The project site could experience strong seismic ground shaking and related effects in the event of an earthquake on one of the identified active or potentially active faults in the region. Required project compliance with the latest California Building Code requirements for new construction would reduce the associated risk of property loss and hazards to occupants. The project would also be constructed in conformance with the California Building Code to avoid and minimize potential damage from seismic ground shaking. The project applicant would implement a Standard Permit Condition (refer to Mitigation Measures and Conditions in this Environmental Assessment) which would ensure that the proposed project would not expose people or structures to substantial adverse effects due to ground shaking.</p> <p>[Sources: (19), (20), (21), and Appendix F]</p> <p style="text-align: center;"><i>Noise</i></p> <p>The primary permanent, ongoing noise anticipated at the project site is traffic on nearby roadways and unshielded mechanical equipment on the proposed building's roof. As discussed in noise assessment in Appendix E, the permanent noise increase from project traffic was calculated to be less than one (1) dBA at nearby noise-sensitive receptors and would not be significant. The unshielded mechanical equipment, however, could generate noise in exceedance of City standards. The project includes a mitigation measure (MM NOI-1.1) to address mechanical equipment and reduce its impact on nearby sensitive receptors (residences).</p>
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		<p>The project would result in a temporary noise impact due to the generation of construction noise within 500 feet of residences and within 200 feet of commercial uses for a duration of more than 12 months. Construction noise impacts would be mitigated upon implementation of MM NOI-2.1, which would reduce construction noise levels generated at the site, limit construction hours, and minimize disruption and annoyance. Therefore, the project complies with the HUD noise abatement and control regulations of 24 CFR 51B.</p> <p>[Source: Appendix E]</p>
Energy Consumption	1	<p>The new development would not represent a wasteful use of energy. The project would be required to comply with applicable building energy efficiency standards pursuant to Title 24, Part 6 of the California Code of Regulations. At the building permit stage, the project would comply with the California Green Building Standards Code that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. Furthermore, the project would develop an infill site and proposes residential and commercial office uses near existing bus transit, which would contribute to a reduction in the project's demand for energy resources.</p> <p>[Sources: (24) through (34)]</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	<p>According to the 2017 Census, the median household income in the project site’s census tract is \$75,307. Approximately 6.2 percent of households earned less than \$10,000, 5.1 percent between \$10,000 and \$14,999, 4.8 percent between \$15,000 and \$24,999, 6.4 percent between \$25,000 and \$34,999, 13.8 percent between \$34,999 and \$49,999, and 13.4 percent between \$50,000 and \$74,999. The project would increase the availability of low-income housing for the residents of San José and Santa Clara County, where such housing is in high demand. No significant change to the demographic character of the neighborhood is expected because of the project, as it is intended to serve the existing population.</p> <p>[Source: (35)]</p>
Demographic Character Changes, Displacement	2	<p>Implementation of the proposed project would demolish an existing commercial building. No residential properties that would result in the displacement of people would occur. The project would provide affordable housing designed to accommodate the unmet needs of the low-income population of San José and Santa Clara County. The project does not represent a significant change to the demographics of the area or on area social services as it is intended to serve the existing population.</p> <p>[Source: (17)]</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	1	<p>The proposed 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses are not anticipated to have impacts on education or cultural facilities since the project is designed for low-income residents of the County of Santa Clara.</p> <p>In accordance with California Government Code Section 65996, the developer shall pay a school impact fee to the Oak Grove School and East Side Union High School Districts to offset potential increased demands on school facilities.</p> <p>The City of San José is served by the San José Public Library System. The San José Public Library System consists of one main library (Dr. Martin Luther King Jr.) and 22 branch libraries (i.e., educational facilities). The nearest public library is the Edenvale Branch Library, located at 101 Branham Lane East approximately one mile northeast of the project site.⁹¹ The nearest community center is Southside Community Center, located at 5585 Cottle Road, 1.2 miles east of the site.</p> <p>Residents of the proposed project may use the library and community center facilities. The incremental increase in use of these facilities was accounted for in the Envision San Jose 2040 General Plan. The project would not displace existing educational or cultural facilities nor would it affect educational or cultural facilities by its operation.</p> <p>[Source: (17)]</p>
Commercial Facilities	1	<p>The project site contains a 32,000 square foot commercial building (formerly a furniture store) and a paved parking area. The project would demolish the existing commercial building and construct a mixed-use development with 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses. The project would remove the vacant (underutilized) commercial building and would use the proposed commercial space as offices. The project is located in an urban area and is within 200 feet of shopping and commercial opportunities.</p> <p>[Source: (17)]</p>

⁹¹ San José Public Library. Location and Hours. Accessed January 17, 2020. <https://www.sjpl.org/locations>.

Health Care and Social Services	1	<p>The proposed 145 restricted affordable housing units and two on-site staff units would provide housing opportunities for low-income residents in San José and Santa Clara County. The project is located within 10 miles of three major hospitals including the San José Behavioral Health Hospital, the Kaiser Permanente San José Hospital, and Good Samaritan Hospital. There are numerous smaller clinics, medical facilities, and convalescent hospitals located nearby.</p> <p>Within the project site's census tract there is total of 2,081 households and 5,933 people. Of the total population within the census tract, 6.8 percent (407 people) are living below poverty. The project would provide affordable housing designed to accommodate the unmet needs of the census tract population. The project does not represent a significant change to the demographics of the area or on area social services, as it is intended to serve the existing population.</p> <p>[Sources: (36) and (37)]</p>
Solid Waste Disposal /Recycling	2	<p>The proposed 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses are not anticipated to have significant impacts to solid waste disposal/recycling facilities. Operations of the proposed project would generate 452 pounds of waste per day (370 pounds of waste water per day from the residences and 82 pounds per day from the commercial office uses).⁹² This would result in an increase in 255 pounds of waste per day, when compared to the site's existing commercial uses. The proposed project would conform to City plans and policies to reduce solid waste generation and would be served by a landfill with adequate capacity.</p> <p>[Source: (17)]</p>

⁹² California Air Pollution Control Officers Association. *California Emissions Estimator Model. Appendix D Default Data Tables*. September 2016. Table 10.1 Solid Waste Disposal Rates, Apartments Low Rise.

Wastewater/ Sanitary Sewers	1	<p>The proposed 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses would not have significant impacts on wastewater/sanitary sewer services. The project would result in an incremental increase in wastewater and sanitary sewer services. The proposed development is estimated to generate a net a 42,655 gallons of wastewater per day. The San José/Santa Clara Regional Wastewater Facility (RWF), however, has available wastewater treatment capacity to serve the proposed project.</p> <p>[Source: (38)]</p>
Water Supply	2	<p>The proposed 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses would not have significant impacts on the City’s water supply. The project would result in an incremental increase in water consumption. The proposed development is estimated to result in a net increase of 44,900 gallons of water per day for potable water and irrigation requirements.</p> <p>Water service to the project site is provided by Great Oaks Water Company. The General Plan FEIR concluded that sufficient water supplies are available to serve planned growth in the City. Given the project is consistent with the General Plan’s growth projections, there would be adequate water supply to serve the project.</p> <p>[Sources: (17) and (39)]</p>
Public Safety - Police, Fire and Emergency Medical	1	<p>The proposed 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses would not have significant impacts on police, fire, or medical services. The proposed project would be constructed in accordance with current building codes and the San José Fire Department and San Jose Police Department would review project plans to ensure appropriate safety features are incorporated to reduce fire and safety hazards.</p> <p>Public services are generally provided to the community as a whole and financed on a community-wide basis. The proposed affordable housing/mixed-use project is located in an urban area that is currently served by municipal providers. The project would result in an incremental increase in the demand for public services. The project, however, would not require a significant change in emergency police, fire, and medical services already provided in the area.</p> <p>[Source: (17)]</p>

Parks, Open Space and Recreation	1	<p>The proposed 145 restricted affordable housing units, two on-site staff units, and 16,066 square feet of commercial office uses would not have significant impacts on parks, open space, or recreation. The project is located in proximity to Coy Park in an area adequately served by parks and recreational facilities and would result in an incremental increase in demand.</p> <p>The project would be required to pay fees consistent with the Parkland Dedication Ordinance. These fees would be used to improve existing parkland and recreational facilities.</p> <p>[Sources: (40) and (41)]</p>
Transportation and Accessibility	4	<p>Based on a traffic analysis completed for the project by <i>Hexagon Transportation Consultants</i> in October 2019, the project is estimated to generate 632 net new daily trips, including 50 AM and 59 PM peak hour trips.</p> <p>Eight signalized intersections were evaluated in the project area. Based on the City’s level of service (LOS) standards, the project would not result in an adverse effect on intersection operations under the background (which includes approved projects in the area) plus project conditions. Therefore, the project would not conflict with the City’s LOS standards.</p> <p>The project would not result in inadequate circulation. The project would meet the City’s design standards for site access and design and would not create hazards due to the site’s design.</p> <p>The project would implement a TDM plan that includes a ride-sharing program, bicycle parking spaces, on-site showers and lockers for employees, and an on-site TDM coordinator; these features would reduce the project’s VMT. The proposed residential units meet the City’s screening criteria for restricted residential affordable housing projects, and therefore, the project’s residential component would not result in a significant effect on VMT. With the implementation of the ride-sharing program, the project’s commercial office component would not have a significant effect on VMT.</p> <p>[Source: Appendix G]</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	1	<p>The project is proposed on a developed infill lot and surrounded by residential and commercial development. The project would not impact unique natural features or water resources. There are no surface waters on or adjacent to the project site. Canoas Creek is approximately 0.75-mile to the west and would be unaffected by the project.</p> <p>The project would be served by the Great Oaks Water Company. The project would have an incremental net increase in water consumption, estimated to be approximately 44,900 gallons per day. The Envision San José 2040 General Plan FEIR concluded that sufficient water supplies are available to serve planned growth in the City. Therefore, there would be adequate water supply to serve the project.</p> <p>[Sources: (17) and (39)]</p>
Vegetation, Wildlife	4	<p>The project site is a developed infill lot in an urban area. Surrounding uses include residential and commercial development. The project would not impact natural habitat containing endangered species or any designated or proposed critical habitat. The project would remove eight existing trees that would be replaced in accordance with the City of San José replacement ratios.</p> <p>In compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, the proposed project would implement mitigation measures (MM BIO-4.1 through MM BIO-4.4), including avoiding the nesting season, completing pre-construction nesting bird surveys, designating buffer zones around identified nests, and reporting findings. These measures would reduce or avoid construction-related impacts to nesting raptors and their nests, if construction cannot be scheduled between September and January (inclusive) to avoid the nesting season.</p> <p>[Sources: (7) and Appendix H]</p>
Other Factors	1	<p>New construction of the proposed residential/mixed-use building would provide safe living conditions for low-income residents by meeting fire, life safety, and Americans with Disabilities Act (ADA) codes.</p> <p>[Source: (17)]</p>

Technical Studies Performed (Date and completed by):

Appendix A: Illingworth & Rodkin, Inc. *397 Blossom Hill Road Air Quality and GHG Assessment, San José, California.* March 4, 2019.

Appendix B: SLR. *Phase I Environmental Site Assessment, 397 Blossom Hill Road, San José, California.* August 2017.

Phase II Environmental Site Assessment Report, 397 Blossom Hill Road, San José, CA.
December 2018.

Appendix C: U.S. Department of the Interior, Fish and Wildlife Service. *397 Blossom Hill Mixed Use Project: List of Threatened and Endangered Species.* April 22, 2019.

Appendix D: Running Moose Environmental Consulting. *HUD Explosive and Fire Hazards Review, 397 Blossom Hill Senior Housing Development, 397 Blossom Hill Road, San José, California.* September 14, 2018.

Appendix E: Illingworth & Rodkin, Inc. *397 Blossom Hill Road NEPA Noise Assessment, San José, California.* April 3, 2019.

Appendix F: Silicon Valley Soil Engineering. *Proposed Blossom Hill Development, 397 Blossom Hill Road, San José, California: Geotechnical Investigation.* February 2018.

Appendix G: Hexagon Transportation Consultants. *397 Blossom Hill Road Affordable Housing Development: Transportation Analysis.* October 23, 2019.

Appendix H: H.T. Harvey & Associates. *397 Blossom Hill Road Arborist Report.* June 11, 2018.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

1. County of Santa Clara, Department of Planning and Development. *Airport Land Use Commission: Comprehensive Land Use Plans and Associated Documents*. November 16, 2016. Accessed April 11, 2019.
<https://www.sccgov.org/sites/dpd/Commissions/ALUC/Pages/ALUC.aspx>.
2. California Coastal Commission. “Coastal Zone Boundary Map.” Accessed April 22, 2019. Available at: <https://www.coastal.ca.gov/maps/czb/>.
3. Federal Emergency Management Agency. *Flood Insurance Rate Map, Community Panel No. 06085C0223H*. Effective Date: May 18, 2009.
4. CARB. *Overview: Diesel Exhaust and Health*. Accessed May 7, 2019.
<https://www.arb.ca.gov/research/diesel/diesel-health.htm>.
5. BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. Accessed May 7, 2019.
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Field Inspection (Date and Completed By)

June 4, 2018 and May 7, 2019
David J. Powers & Associates, Inc.
Amber Sharpe, Project Manager

List of Permits Obtained

The project proposes the following Development Approval as listed below:

- CP18-022: Conditional Use Permit
- T18-034: Conventional Subdivision Vesting Map

Public Outreach [24 CFR 50.23 & 58.43]:

The proposed project will be the subject of community meetings and notified public hearings before the Planning Director. The environmental decision may be appealed to the City Council of the City of San José.

Cumulative Impact Analysis [24 CFR 58.32]:

The potential environmental impacts from the proposed project are primarily short-term impacts associated with the construction of the affordable apartment building. It is possible that other development construction schedules in the project area may overlap with the project, but the overlap is likely to be minimal, and the proposed project includes mitigation measures to limit disturbance to adjacent land uses and would not result in cumulatively considerable impacts.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

This alternatives analysis is included to fulfill the requirements for an Environmental Assessment under NEPA. Under NEPA, an Environmental Assessment shall include brief discussions of alternatives. No development alternatives to the proposed project have been identified or considered, because the proposed action would not result in any significant unavoidable impacts. For the proposed project, the No Action Alternative was included.

No Action Alternative [24 CFR 58.40(e)]:

The no action alternative would not construct 145 restricted affordable housing units, two on-site staff units, or the 16,066 square foot commercial office space in the City of San José. The property is zoned *Commercial Neighborhood (CN)* and is currently developed with a commercial building temporarily being occupied by non-profit organizations and a paved surface parking lot. The no action alternative consists of leaving the site in its current condition. Under this alternative, both the potentially beneficial and adverse effects of the proposed action would be avoided. Adverse effects which would be avoided include exposure of persons to construction noise, air quality, and water quality impacts, potential disturbance of nesting raptors through tree removal, and exposure of persons to hazardous materials. It should be noted that the magnitude of these adverse effects associated with the proposed action would be less than significant with mitigation measures included in the project. Thus, the No Action Alternative would not avoid any significant environmental impacts, because none are expected if the proposed residential/mixed-use project is constructed.

If the proposed project is not constructed, it is likely the underutilized site would be developed under the existing *Neighborhood/Community Commercial (N/CC)* land use and *Commercial Neighborhood (CN)* zoning designation. Development of commercial uses on the project site would have similar environmental effects, but would not meet the project's goal of providing affordable housing for low income persons and families in the City of San José

The No Action Alternative would not meet the goals and objectives of the proposed action which are to provide affordable rental housing on the project site in a manner that is consistent with the goals and plans of the City of San José and is compatible with the surrounding land uses.

Summary of Findings and Conclusions:

- The proposed action would be compatible with existing and planned future land uses in the vicinity of the project site.
- The proposed action would provide affordable housing in the City of San José where affordable housing options are in high demand.
- The proposed action would comply with all statutory regulations pertaining to environmental issues.
- The proposed action would be consistent with the requirements of the Clean Air Plan and would not result in adverse long-term air quality impacts.
- The proposed action could result in short-term (i.e., construction-related) environmental effects with regard to biological resources, cultural resources, hazardous materials, and noise. Mitigation measures and conditions have been incorporated into the project that would minimize or avoid these short-term impacts.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Pursuant to 40 CFR 1505.2(c), the following summary includes all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. The staff responsible for implementing and monitoring mitigation measures are identified in the mitigation plan. These mitigation measures must be incorporated into project contracts, development agreements, and other relevant documents.

Law, Authority, or Factor	Mitigation Measure
Clean Air Measures	<p>No formal mitigation measures are required for air quality impacts. However, the proposed action shall implement the following permit condition:</p> <p><u>Standard Permit Conditions:</u> The following measures shall be implemented during all phases of construction to control dust and exhaust at the project site:</p> <ul style="list-style-type: none"> • Water active construction areas at least twice daily or as often as needed to control dust emissions. • Cover trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard. • Remove visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). • Pave new or improved roadways, driveways, and sidewalks as soon as possible. • Lay building pads as soon as possible after grading unless seeding or soil binders are used. • Replant vegetation in disturbed areas as quickly as possible. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Minimize idling times either by shutting off equipment when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Provide clear signage for construction workers at all access points. • Maintain and property tune construction equipment in accordance with manufacturer’s specifications. Check all equipment by a certified mechanic and record a determination of running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints.

<p>Historic Preservation</p>	<p>No formal mitigation measures are required for historic resources impacts. However, the proposed action shall implement the following permit condition:</p> <p><u>Standard Permit Condition:</u> Implementation of the following conditions would reduce the impacts of the project on subsurface cultural resources:</p> <ul style="list-style-type: none"> • If prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement (PBCE) or the Director’s designee and the City’s Historic Preservation Officer shall be notified, and a qualified archaeologist shall examine the find. The archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to Director of PBCE or the Director’s designee and the City’s Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials. • If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. If human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Director of Planning, Building and Code Enforcement (PBCE) or the Director’s designee and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American. • If the remains are believed to be Native American, the Coroner will contact the NAHC within 48 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts.
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	<ul style="list-style-type: none"> • If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance: <ul style="list-style-type: none"> ○ The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site. ○ The MLD identified fails to make a recommendation; or ○ The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation by the NAHC fails to provide measures acceptable to the landowner.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	<p>No formal mitigation measures are required for soil suitability, slope, erosion, drainage, or stormwater runoff impacts. However, the proposed action shall implement the following permit conditions:</p> <p>Geology and Soils</p> <p><u>Standard Permit Condition:</u> To avoid or minimize potential damage from seismic shaking, the project would be built using standard engineering and seismic safety design techniques. Building design and construction at the site will be completed in conformance with the recommendations of a design-level geotechnical investigation. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of San José Department of Planning, Building and Code Enforcement as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes, including the 2016 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property on-site and off-site to the extent feasible and in compliance with the Building Code. In accordance with the Municipal Code, the Director of Public Works must approve a seismic hazard evaluation report prior to issuance of a grading or building permit for areas within the defined State Seismic Hazard Zone for Liquefaction.</p> <p><u>Standard Permit Conditions:</u></p> <ul style="list-style-type: none"> • To avoid or minimize potential damage from seismic shaking, the project shall be constructed using standard engineering and seismic safety design techniques in the California Building Code, as adopted by the City of San José. Building design and construction at the site shall be completed in conformance with the recommendations of an approved geotechnical investigation. The report shall be reviewed and approved by the City of San José Department of Public Works as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes as

adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property on site and off site to the extent feasible and in compliance with the Building Code.

- All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.
- Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.
- Ditches shall be installed to divert runoff around excavations and graded areas if necessary.
- A grading permit from the San José Department of Public Works shall be obtained prior to the issuance of a Public Works clearance.

Standard Permit Conditions: The following measure shall be applied to development of the project site to reduce and/or avoid impacts to paleontological resources:

- If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of PBCE or the Director's designee.

Hydrology and Water Quality

Standard Permit Conditions: Best management practices to prevent stormwater pollution and minimize potential sedimentation shall be applied to project construction, including but not limited to the following:

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.

	<ul style="list-style-type: none"> • Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered. • All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard. • All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers). • Vegetation is disturbed areas shall be replanted as quickly as possible. • All unpaved entrances to the site shall be filled with rock to remove mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City. • The project applicant shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. • A Storm Water Permit will be administered by the State Water Resources Control Board. Prior to construction grading for the proposed land uses, the project proponent shall file a Notice of Intent to comply with the General Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP) which addresses measures that would be included in the project to minimize and control construction and post-construction runoff. Measures shall include, but are not limited to, the aforementioned RWQCB Best Management Practices. • The SWPPP shall be posted at the project site and shall be updated to reflect current site conditions. • When construction is complete, a Notice of Termination (NOT) for the General Permit for Construction shall be filed with the SWRCB. The NOT shall document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in the SWPPP for the site.
<p>Contamination and Toxic Substances Measures</p>	<p>No formal mitigation measures are required for contamination and/or toxic substances impacts. However, the proposed action shall implement the following permit conditions:</p> <p><u>Standard Permit Conditions:</u></p> <ul style="list-style-type: none"> • In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of the existing staircases to determine the presence of asbestos-containing materials and/or lead-based paint. The visual inspection/pre-demolition survey report shall be submitted to the Director of Planning, Building and Code Enforcement or the Director’s designee for review and approval prior to issuance of a grading permit.

	<ul style="list-style-type: none"> • During demolition activities, all building materials containing lead-based paint shall be removed in accordance with the California Occupational Safety and Health Administration (Cal/OSHA) Lead in Construction Standard, Title 8, California Code Regulations 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed. • All potentially friable asbestos-containing materials (ACMs) shall be removed in accordance with the Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from asbestos exposure. • A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above. • Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements and notifications. <p>Standard Permit Condition: The project applicant shall conform to the City of San José permitting requirements, consistent with RWQCB regulations, by submitting a PCB Screening Assessment Form when applying for a demolition permit to demolish the existing building(s) on the project site and shall comply with any resulting sampling and abatement procedures as directed by federal and State agencies.</p>
<p>Noise Abatement and Control Measures</p>	<p>MM-NOI-1.1: Prior to the issuance of building permits, mechanical equipment shall be selected and that is designed to reduce impacts on surrounding uses to meet the City’s requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise specifications as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to comply with the City’s 55 dBA DNL residential noise limit. Noise reduction measures could include, but are not limited to, a selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.</p>

MM NOI-2.1: Construction Best Management Practices – Prior to issuance of any demolition or grading permits, the project applicant shall implement noise minimization measures that can include, but are not limited to, the following:

- Limit construction hours to between 7:00 a.m. and 7:00 p.m., Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.
- Construct solid plywood fences around ground level construction sites adjacent to operational businesses, residences, or other noise-sensitive land uses.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Prohibit unnecessary idling of internal combustion engines.
- Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
- Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences.
- If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.
- Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction

	<p>site and include it in the notice sent to neighbors regarding the construction schedule.</p> <ul style="list-style-type: none"> • Limit construction to the hours of 7:00 AM to 7:00 PM Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific “construction noise mitigation plan” and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses. <p>Interior Noise Levels</p> <p>Permit Condition: The following noise-related conditions of approval shall be implemented for the proposed project</p> <ul style="list-style-type: none"> • The applicant shall provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, so that windows can be kept closed to control noise at the east and west facing residential façades. • The applicant shall install sound rated windows to south facing residential façades adjacent to Blossom Hill Road to maintain interior noise levels at acceptable levels. Sound-rated windows with minimum STC Ratings of 32 or higher would be satisfactory for units to achieve acceptable interior noise levels, assuming there would be a window-to-wall ratio of 40 percent or less. The specific determination of what noise insulation treatments are necessary shall be completed on a room-by-room basis during final design of the project. • The project applicant shall prepare final design plans that incorporate building design and acoustical treatments to ensure compliance with State Building Codes and City noise standards. A project-specific acoustical analysis shall be prepared to ensure that the design incorporates controls to reduce interior noise levels to 45 dBA DNL or lower within the residential unit. The project applicant shall conform with any special building construction techniques requested by the City’s Building Department, which may include sound-rated windows and doors, sound-rated wall constructions, and acoustical caulking.
<p>Vegetation, Wildlife Measures</p>	<p>MM BIO-4.1: Avoidance. The project applicant shall schedule demolition and construction activities to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 15th (inclusive), as amended.</p>

MM BIO-4.2: Nesting Bird Surveys. If it is not possible to schedule demolition and construction between August 16th and January 31st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February 1st through April 30th inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 15th inclusive). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests.

MM BIO-4.3: Buffer Zones. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests shall not be disturbed during project construction. The no-disturbance buffer shall remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes again during the nesting season, an additional survey shall be necessary to avoid impacts to active bird nests that may be present.

MM BIO-4.4: Reporting. Prior to any tree removal, or approval of any grading permits (whichever occurs first), the project applicant shall submit the ornithologist's report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement, or the Director's designee, prior to issuance of any grading or building permits.

Standard Permit Condition: The trees removed by the proposed project would be replaced in accordance with all applicable laws, policies, or guidelines, including:

- City of San José Tree Protection Ordinance (see replacement ratios provided in Table 4.4-2 below);
- San José Municipal Code Section 13.28; and
- San José General Plan Policies MS-21.4, MS-21.5, and MS-21.6.

The species of trees to be planted shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.

Table 4.4-2: Tree Replacement Requirements

Diameter of Tree to be Removed ¹	Type of Tree to be Removed ²			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
12.1 inches or more ³	5:1	4:1	3:1	15-gallon container
6.1 – 12.1 inches	3:1	2:1	None	15-gallon container
Less than 6.1 inches	1:1	1:1	None	15-gallon container

¹ As measured 4.5 feet above ground level

² x:x = tree replacement to tree loss ratio

³ Ordinance-sized tree

Notes: Trees greater than or equal to 12.1 inches in diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For multi-family residential, commercial, and industrial properties, a Tree Removal Permit is required for removal of trees of any size.

A 38-inch tree is 12.1 inches in diameter.

One 24-inch box tree = two 15-gallon trees.

In accordance with City policy, tree replacement would be implemented as shown on Table 4.4-2. A total of 30 trees would be required to be planted. Twenty four (24) trees would replace six trees greater than 12 inches in diameter, and six trees would replace two trees with diameters between six and 12 inches.

Standard Permit Condition: In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures shall be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement, at the development permit stage:

- The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees to be planted on the project site, at the development permit stage.
- Pay Off-Site Tree Replacement Fee(s) to the City, prior to the issuance of Public Works grading permit(s), in accordance to the City Council approved Fee Resolution. The City will use the off-site tree replacement fee(s) to plant trees at alternative sites.

Standard Permit Condition: The project shall implement the following condition to reduce the impacts related to nitrogen deposition:

- Santa Clara Valley Habitat Plan. The project is subject to applicable SCVHP conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The project applicant would be required to submit the Santa Clara Valley Habitat Plan Coverage

	<p>Screening Form to the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee for approval and payment of the nitrogen deposition fee prior to the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at www.scv-habitatplan.org.</p>
<p>Educational and Cultural Facilities</p>	<p>No formal mitigation measures are required for educational and cultural facilities impacts. However, the proposed action shall implement the following permit condition:</p> <p>Standard Permit Condition: In accordance with California Government Code Section 65996, the developer shall pay a school impact fee to the School District, to offset the increased demands on school facilities caused by the proposed project.</p>
<p>Parks, Open Space, and Recreation</p>	<p>No formal mitigation measures are required for parks, open space and recreation facilities impacts. However, the proposed action shall implement the following permit condition:</p> <p>Standard Permit Condition: The project shall conform to the City’s Park Impact Ordinance and Parkland Dedication Ordinance.</p> <ul style="list-style-type: none"> • The PDO/PIO fees generated by the residential development would be used to provide neighborhood-serving facilities within a 0.75-mile radius of the project site and/or community-serving facilities within a three-mile radius (General Plan Policies PR-2.4 and PR-2.5). Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts to parks.

**Blossom Hill Mixed Use Project
City of San José**

Determination:

- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: February 19, 2020

Name/Title/Organization: Amber Sharpe, Project Manager
David J. Powers & Associates, Inc.

Certifying Officer Signature: _____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).