CHAPTER S
Summary

This environmental impact report (EIR) has been prepared by the City of San José (City) to evaluate the potential environmental effects of the development of the Downtown West Mixed-Use Plan (proposed project), in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Title 21 of the San José Municipal Code. This summary chapter is intended to provide an overview of the environmental analysis as required by CEQA Guidelines Section 15123.

S.1 Project Summary

Google LLC, the project applicant, is proposing the project as part of the company's expansion of its workforce and business operations in the Bay Area. To accommodate workforce growth and create more efficient transportation linkages between Google workplaces and employees' homes, the proposed project is located largely in the area included in the City of San José's Diridon Station Area Plan (DSAP), which envisions a new high-density job center anchored by public transportation. The proposed project would include a mix of uses generally consistent with the DSAP, providing for a mixed-use Downtown neighborhood.

The project site is located in the western portion of Downtown San José, mostly in the DSAP area, although the site also includes the former San Jose Water Company site at 374 W. Santa Clara Street, which is not part of the existing DSAP (refer to Figure 2-1, *Project Location Map*, in Chapter 2, *Project Description*). The proposed project includes an amendment to the DSAP to bring the 374 W. Santa Clara Street site within the DSAP boundary. The project site is generally bounded by Lenzen Avenue and the Union Pacific Railroad tracks to the north; North Montgomery Street, Los Gatos Creek, the Guadalupe River, South Autumn Street, and Royal Avenue to the east; Auzerais Avenue to the south; and Diridon Station and the Caltrain rail tracks to the west. Cahill Street fronts Diridon Station and runs generally parallel to the rail tracks in the project's central area.

The proposed project consists of the demolition of most existing buildings on the project site and phased development of new buildings on approximately 81 acres on the west side of Downtown San José. The proposed project would require amendments to the General Plan and DSAP, Planned Development Rezoning, a Planned Development Permit, including adoption of the Downtown West Design Standards and Guidelines; Vesting Tentative Map(s)/Tentative Map(s)/Final Map(s); and related entitlements from the City including, but not limited to, a Development Agreement and permits related to tree removal, demolition, grading, building,

encroachment, solid waste, and historic preservation. The proposed project would include the following uses:

- A maximum of 7.3 million gross square feet (gsf) of commercial office space
- A maximum of 5,900 residential units
- A maximum of 500,000 gsf of active uses (commercial retail/restaurant, arts, cultural, live entertainment, community center, institutional, childcare and education, maker spaces, non-profit, and small-format office space, as well as one or more live entertainment venues)
- A maximum of 300 hotel rooms
- A maximum of 800 rooms of limited-term corporate accommodations (lodging of company workforce for not more than 60 consecutive days and not open to the public; considered a non-residential use)
- A maximum of 100,000 gsf of event and conference space
- On- and off-street public/commercial and residential parking
- A district-systems approach to on-site utilities delivery,[1] including designated infrastructure zones with centralized utility plants totaling approximately 130,000 gsf.
- One or more on-site logistics centers to serve the commercial on-site uses that would occupy a total of about 100,000 gsf
- A total of approximately 15 acres of parks, plazas, and open space, including areas for outdoor seating and commercial activity (such as retail, cafes, and restaurants), green spaces, landscaping, mid-block passages, riparian setbacks, and trails
- Various improvements to the public realm to improve transit access and pedestrian and bicycle circulation and facilitate connectivity, both within the site and to and from surrounding neighborhoods

The project would also include the adoption of Design Standards and Guidelines, an enforceable series of design-focused standards, along with advisory guidelines, that would govern development on the project site and that would be approved as part of the Planned Development Permit. The complete Downtown West Design Standards and Guidelines document is provided as Appendix M. Finally, the project may include further land assembly by the project applicant.[2]

[1] A "district" utility system essentially entails creating an on-site utility network separate from, though sometimes linked to, the citywide or regional networks. District systems are most commonly used for building space heating and cooling, but may also be employed to generate and/or distribute electricity, collect and treat wastewater and stormwater, and the like. A small mutual water system serving a rural area is another common example of a district utility system. District systems shift infrastructure from individual building systems such as chillers and cooling towers to centralized facilities such as thermal central utility plants serving multiple buildings to enable more efficient operations.

[2] The project site, as defined herein, includes certain parcels not currently under the control of the applicant. Specifically, the project site includes parcels owned by the City of San José (parking lots adjacent to the SAP Center), as well as the Santa Clara County Valley Transportation Authority (southeast corner of West Santa Clara and Cahill Streets). These landowners have granted the applicant the authority to include their parcels in the project description for analysis in this EIR, and the applicant may purchase or lease one or more of these parcels in the future. The applicant is also seeking various access easements that would be added to the project site if obtained.

S.2 Assembly Bill 900

In summer 2019, the project applicant, Google LLC, filed an application for the Governor's certification of the project under the Jobs and Economic Improvement through Leadership Act of 2011 (Assembly Bill [AB] 900 as amended by Senate Bill 734 and AB 246). The application was subject to public review from September 3, 2019, through October 3, 2019.[3] On December 30, 2019, Governor Gavin Newsom certified the project.

AB 900, as amended, provides judicial streamlining benefits under CEQA for certified environmental leadership development projects, which must:

1. Result in a minimum investment of $100 million in California upon completion of construction;
2. Create high-wage, highly skilled jobs that pay prevailing wages and living wages and provide construction jobs and permanent jobs for Californians, and help reduce unemployment;
3. Not result in any net additional greenhouse gas (GHG) emissions;
4. Comply with state requirements for commercial and organic waste recycling;
5. Have a binding agreement with the lead agency committing to implement and monitor mitigation measures required to comply with AB 900, as amended; and
6. Agree to pay appellate court costs if applicable and the cost of preparing the administrative record of proceedings.[4]

As required by Public Resources Code Section 21185, the Judicial Council adopted rules of court establishing procedures that apply to actions or proceedings brought to attack, review, set aside, void, or annul the certification of the EIR for an environmental leadership development project (certified by the Governor pursuant to AB 900) or the granting of any project approvals. The procedures require that the actions or proceedings, including any potential appeals, be resolved to the extent feasible within 270 days of the day that the certified record of proceedings was filed with the court. This creates an accelerated time frame for CEQA litigation. The procedures can be found in California Rules of Court Rules 3.2220 to 3.2231.

S.3 Summary of Environmental Impacts

Table S-1 provides an overview of the analysis in Chapter 3, *Environmental Setting, Impacts, and Mitigation*. Impacts are categorized by the type of impact as follows:

- *No Impact.* The scenario in which no adverse physical changes to (or impacts on) the environment are expected.
- *Less-than-Significant Impact.* An impact that does not exceed the defined significance criteria or would be eliminated or reduced to a less-than-significant level through compliance with existing federal, state, and local laws and regulations.

[3] Governor's Office of Planning and Research, *California Jobs (AB 900): Submitted Applications, 2019080493, Downtown West Mixed-Use Project.* Available at http://opr.ca.gov/ceqa/california-jobs.html, accessed November 2, 2019.
[4] California Public Resources Code Section 21183.

- *Less-than-Significant Impact with Mitigation.* An impact that would be reduced to a less-than-significant level through implementation of the identified mitigation measure(s).
- *Significant and Unavoidable Impact.* An adverse effect that meets the significance criteria, but there appears to be no feasible mitigation available to reduce the impact to a less-than-significant level. In some cases, mitigation may be available to lessen a given impact, but the residual effects of that impact would continue to be significant even after implementation of the mitigation measure(s).

As indicated in Table S-1, with mitigation measures incorporated, the proposed project would result in significant and unavoidable impacts related to air quality, cultural resources, and noise and vibration, and would make a cumulatively considerable contribution to a significant and unavoidable cumulative impact to population and housing.

S.4 Summary of Alternatives to the Proposed Project

CEQA requires that an EIR identify alternatives to the project as proposed and evaluate their comparative merits. CEQA Guidelines Section 15126.6 states that an EIR must describe a "reasonable range of potentially feasible alternatives," focusing on those that "would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant environmental effects of the project." Based on the requirements of CEQA and the summary of environmental impacts presented above, this EIR describes and analyzes four alternatives to the project. A summary of project alternatives follows. A full analysis of project alternatives is provided in Chapter 5, *Alternatives,* along with a description of other alternatives considered by the City that were not selected for in-depth analysis.

S.4.1 No Project/DSAP Development Alternative

Under the No Project/DSAP Development Alternative, the project applicant's Downtown West Mixed-Use Plan would not move forward, and development on the site would continue to occur over time based on market demand and consistent with the existing DSAP. Lots A, B, and C would remain as surface parking for the foreseeable future, and Block E (the former San Jose Water Company site) would remain outside the DSAP boundary, where a previously approved development project would proceed unchanged, resulting in construction of approximately 1.04 million gsf of office and retail space and 325 residential units on Block E (included in the program for this alternative). Overall, under this alternative development on the project site would be less than under the proposed project, yielding up to an estimated 4.9 million gsf of office uses, 419 hotel rooms, 625 dwelling units, and 380,000 square feet of retail/restaurant uses in the 81-acre planning area. The overall intensity of development within the project site, measured by building floor area, would be reduced by approximately 56 percent compared to the proposed project. Given the reduced development program, this alternative would likely preserve one or more historical resources that would be adversely affected under the proposed project.

The No Project/DSAP Development Alternative would not result in as much new housing or office space as the proposed project, and would generally have reduced impacts compared to the project because of the lesser intensity of uses proposed. However, most of the project's

significant and unavoidable impacts would still occur related to air quality, cultural resources, land use, noise and vibration, and population and housing, even with mitigation measures identified in the EIR. The No Project/DSAP Development Alternative would not address the stated objectives of either the project applicant or the City for the project, which are outlined in Chapter 2, *Project Description*.

S.4.2 Historic Preservation Alternative

This alternative would retain, adaptively reuse, and avoid adverse effects all nine of the historical resources identified on the project site. This alternative would also reduce the sizes of buildings proposed near historic resources, setting them back from historical resources. Overall, the Historic Preservation Alternative would include less development than the proposed project. Specifically, the number of residential dwelling units would be approximately up to 5,665 units (235 fewer than under the proposed project); the number of limited-term corporate accommodation units would be reduced by about 460, to a maximum of 340; and the maximum amount of office space would be reduced by about 1,610,000 gsf, to a maximum of 5,690,000 gsf. The floor area of active uses (e.g., commercial retail/restaurant, cultural, institutional, child care, and education) and infrastructure-related buildings would also be reduced approximately in proportion to the decrease in office uses. The number of hotel rooms would be unchanged from the proposed project, event/conference space would be reduced by half, to 50,000 gsf. The overall intensity of development, measured by building floor area, would be reduced by approximately 17 percent as compared to the proposed project. This alternative would not include all of the project's proposed street network changes in the central portion of the site.

The Historic Preservation Alternative would not result in as much overall development as the proposed project, and would have reduced impacts compared to the proposed project because of the lesser intensity of uses proposed. However, the relatively modest reduction in development program would not avoid all of the project's significant and unavoidable impacts in the areas of air quality, land use, noise and vibration, or population and housing, although the severity of impacts would be marginally reduced compared to those of the proposed project. This alternative would, however, avoid all of the proposed project's significant unavoidable impacts on historic architectural resources. The Historic Preservation Alternative would meet many of the project objectives. However, it would not advance, to the same degree, the City's objectives for dense, transit-oriented development that aligns with the General Plan, DSAP, and Downtown Strategy 2040. This alternative also would not implement certain circulation improvements, particularly in the core of the site, would generate somewhat less economic growth, would develop a less cohesive plan due to gaps in the center of the site, and would offer less in the way of operational and energy efficiency than would the proposed project.

S.4.3 Historic Preservation/CLUP Noise Compliance Alternative

The Historic Preservation/San José International Airport Comprehensive Land Use Plan (CLUP) Noise Compliance Alternative would combine aspects of the Preservation Alternative and the proposed project to avoid significant impacts to all but one of the historical resources on the

project site and would also avoid significant noise and land use effects related to non-compliance with the CLUP airport noise exposure policy. It would avoid adverse effects to eight of the nine historical resources on the project site, but would include the project's proposed additions and alterations to the former Hellwig Iron Works Building at 150 South Montgomery to create an architectural icon. Because this transformation would appear to alter the building form and affect its historic integrity, it would result in a significant and unavoidable impact, similar to the proposed project. This alternative would develop a maximum of 3,600 dwelling units, 2,300 fewer than the project, and 436,000 gsf of active uses, about 13 percent less than the project. No residential uses would be developed on several blocks proposed for residential development under the project. This alternative would retain the project's proposed 7.3 million gsf of office space, 300 hotel rooms, 800 units of limited-term corporate accommodation, 100,000 gsf of conference/event space, and 230,000 gsf devoted to infrastructure and utilities. Total development would be about 14 percent less than the project. The change in location of residential units would avoid most development of new residential units within the 65 dBA CNEL airport noise contour, while the relatively small number residential units within the noise contour would not include outdoor space. Like the Historic Preservation Alternative, this alternative would not make all of the street network changes in the central portion of the site.

The Historic Preservation/CLUP Noise Compliance Alternative would result in a similar level of development to the Historic Preservation Alternative, and would have reduced impacts compared to the proposed project. However, the relatively modest reduction in development program would not avoid all of the project's significant and unavoidable impacts in the areas of air quality, cultural resources noise and vibration (traffic noise only), or population and housing, although the severity of impacts would be marginally reduced compared to those of the proposed project. This alternative would, however, avoid most of the proposed project's significant unavoidable impacts on historic architectural resources and would also avoid land use and noise impacts related to airport noise. The Historic Preservation/CLUP Noise Compliance Alternative would meet many of the project objectives. However, while providing the applicant's desired amount of open space and City-desired economic vitality, this alternative would develop nearly 40 percent (2,300 units) less housing than the project, which would also reduce the amount of affordable housing. This alternative also would not implement certain circulation improvements, particularly in the core of the site, would generate somewhat less economic growth, would develop a less cohesive plan due to gaps in the center of the site, and would offer less in the way of operational and energy efficiency than would the proposed project.

S.4.4 150 South Montgomery Street Preservation Alternative

This alternative would be identical to the proposed project except that it would not include the proposed project's alterations and additions to the building at 150 South Montgomery Street (historic Hellwig Ironworks) to accommodate new arts and cultural uses. Instead, the 150 South Montgomery Street building would be preserved and/or rehabilitated and adaptively reused in compliance with the Secretary's Standards for the Treatment of Historic Properties. Land use designations and height limits would be the same as under the proposed project, as would the proposed development program, because the program space identified for addition(s) to the 150 South Montgomery Street building would be developed elsewhere on the project site.

Impacts of this alternative would be virtually identical to those of the proposed project, with the exception of Impact CU-3 (additions and modifications to 150 South Montgomery Street). With the proposed project, this impact would be significant and unavoidable, but with this alternative, the impact would be less than significant with mitigation because the 150 South Montgomery Street building would not be adversely affected. No other impacts would be meaningfully different than those of the project. The very minor decrease in construction activity, compared to that with the proposed project, would not measurably decrease air quality or noise impacts, and the minor redistribution of traffic, should it occur, would not measurably change transportation impacts.

The 150 South Montgomery Street Preservation Alternative would meet all project objectives except that the 150 South Montgomery site would likely not be the "world-class, architecturally iconic civic/cultural center for the City of San José" with a "combination and juxtaposition of historic and contemporary design elements," as is proposed under the project.

S.4.5 Reduced Office Alternative

This alternative would include the same amount of housing as the proposed project and a reduced amount of commercial office space, and is intended to reduce the project's contribution to the cumulative jobs/housing impact identified in this EIR (Section 3.11, *Population and Housing*). The Reduced Office Alternative would include less overall development than the proposed project. Specifically, this alternative would include a maximum of only 3 million gsf of office space (almost 60 percent less than the project). In addition, the number of limited-term corporate accommodation rooms would also be reduced by 60 percent, to a maximum of 320 rooms, while infrastructure-related building space would be reduced by approximately 30,000 gsf (13 percent). Active uses (e.g., commercial retail/restaurant, cultural, institutional, child care and education) also would be reduced by approximately 275,000 gsf (55 percent), to a maximum of 225,000 gsf. The Reduced Office Alternative would provide up to 5,900 dwelling units and 300 hotel rooms, the same quantities as under the proposed project. The overall intensity of development, measured by building floor area, would be reduced by approximately 36 percent compared to the proposed project. Given the reduced development program, this alternative would likely preserve one or more historical resources that would be adversely affected under the proposed project.

With its smaller development program, this alternative would have reduced impacts compared to the project, because of the lesser intensity of uses proposed. Despite the large reduction in development program, however, the Reduced Office Alternative would not avoid all of the proposed project's significant unavoidable impacts in the areas of air quality, cultural resources, land use, or noise and vibration, although the severity of impacts would be greatly reduced as compared to those of the proposed project. This alternative would, however, avoid the proposed project's significant impact with respect to its cumulatively considerable contribution to the cumulative significant and unavoidable jobs/housing ratio impact projected to occur by 2040 under the General Plan.

The Reduced Office Alternative would meet some of the project objectives. However, with substantially less development, it would not do as much as the project to further City goals, stated in the General Plan, DSAP and Downtown Strategy 2040, of substantially improving the

Downtown jobs-to-housing ratio. In addition, the lesser office program would reduce the project's community benefits, including affordable housing, and this alternative would not meet the applicant's core objective to accommodate expansion of its operations in a transit-accessible Bay Area location. This alternative also would offer less operational and energy efficiency than the proposed project.

S.4.6 Reduced Intensity Alternative

The proposed project would result in a significant and unavoidable impact related to criteria pollutant emissions, and the Reduced Intensity Alternative was developed to reduce emissions from project operations. Compared to the proposed project, the Reduced Intensity Alternative would include approximately 55 percent less overall development, measured by building floor area. Specifically, this alternative would include up to 3 million gsf of office space, up to 2,655 dwelling units, a maximum of 150,000 gsf of active uses (e.g., commercial retail/restaurant, cultural, institutional, child care, and education), up to 135 hotel rooms, up to 320 units of limited-term corporate accommodation, as much as 45,000 gsf of event/conference space, and a maximum 127,000 gsf of infrastructure-related building space. Overall development would be about 58 percent less than with the project. Given the reduced development program, this alternative would likely preserve one or more historical resources that would be adversely affected under the proposed project.

With its substantially smaller development program, this alternative would have reduced impacts compared to the project because of the lesser intensity of uses proposed. Despite the large reduction in development program, however, the Reduced Intensity Alternative would not avoid all of the project's significant unavoidable impacts in the areas of air quality, cultural resources, land use, noise and vibration, or population and housing, although the severity of impacts would be greatly reduced, compared to those of the proposed project.

The Reduced Intensity Alternative would meet some of the project objectives. However, with substantially less development, it would not substantially address the stated objectives of either the project applicant or the City for the project site, as memorialized in the MOU, dated December 4, 2018. In addition, the Reduced Intensity Alternative would generate less in the way of community benefits, including affordable housing, and fewer economic benefits to the City. This alternative also would not meet the applicant's core objective to accommodate expansion of its operations in a transit-accessible Bay Area location. This alternative also would offer less operational and energy efficiency than the proposed project.

S.4.7 Environmentally Superior Alternative

Each of the alternatives selected for analysis would have different and somewhat lesser impacts than the proposed project, although each would continue to have significant and unavoidable impacts.

The CEQA Guidelines specify that an EIR must identify the environmentally superior alternative among those discussed. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The Reduced Intensity Alternative is the environmentally superior alternative because it would substantially reduce the project's significant air quality impacts (Impacts AQ-2, AQ-3, C-AQ-1, and C-AQ-2) and would substantially reduce noise impacts (Impacts NO-1b, NO-1c, C-NO-1, and C-NO-2). In addition, the Reduced Intensity Alternative would most likely reduce, and could potentially avoid, the project's significant unavoidable impacts due to demolition and substantial alteration of cultural resources (Impacts CU-1, CU-3, and C-CU-1). On the whole, due to the overall reduced scale of development, this alternative was found to provide a relatively greater decrease in significant environmental impacts than the other alternatives considered for the project site. It should be noted, however, that to the extent that the demand for additional developed space that would otherwise be built pursuant to the proposed project would be met elsewhere in the Bay Area, employees in and residents of such development could potentially generate greater impacts on transportation systems (including vehicle miles traveled), air quality, and greenhouse gases than would be the case for development on the more compact and better-served-by-transit project site.

S.5 Known Areas of Controversy

The City of San José issued a Notice of Preparation on October 23, 2019, seeking input from public agencies and the public regarding the scope of the EIR. A copy of the notice and letters received during the scoping period, which extended from October 23, 2019, to November 22, 2019, are included in Appendix A. In total, 34 comment letters and emails were received. Issues of concern reflected in these letters and emails include, but are not limited to, the following:

- The potential for the project to cause gentrification or displacement of existing residents.
- The potential for glare and light pollution.
- The potential for increased traffic and impacts on all modes of transportation.
- The potential for air quality impacts and human health risks from air pollutant emissions from increased traffic.
- The potential for impacts on biological resources and Los Gatos Creek.
- The potential for greenhouse gas impacts.
- The presence of hazardous materials on the site and the need for mitigation measures to reduce the impacts of hazardous materials.
- The need for a water supply assessment and potential impacts on existing water supply infrastructure.
- The need to consider a range of residential and other non-office uses.
- The potential for noise impacts on nearby residents.
- The issue of emergency access.
- The potential for effects on nearby parks and trails.
- Increased project-related demand for utilities.

During the scoping period, the City also conducted a public scoping meeting to seek oral input from public agencies and the general public regarding the environmental issues and concerns that

may potentially result from the proposed project. A copy of the scoping meeting transcript is also included in Appendix A. A total of 13 speakers provided comments during the scoping meeting, raising issues of concern including, but not limited to, the following:

- The need to address cyclist and pedestrian safety during construction.
- The need to consider the effects of flooding.
- The need to address emergency access and response during construction.
- The potential for social and economic effects such as displacement.
- The need to include open space.
- The potential for transportation effects associated with additional vehicle trips and potential cumulative transportation impacts.
- The potential for impacts on adjacent properties and the surrounding neighborhood.
- The need to integrate the new transportation network into the City's existing network.
- The presence of a historic neighborhood and potential impacts on cultural resources.
- The potential for construction noise.
- The need to reduce greenhouse gas emissions and climate change.
- The potential for impacts on biological resources and effects on nearby creeks.

For more details on the issues of concern raised by public agencies and members of the public, which represent potential areas of controversy, refer to the letters and transcript in Appendix A.

S.6 Issues to Be Resolved

The major issues to be resolved for the proposed project include decisions by the City of San José, as the lead agency, whether this EIR adequately describes the environmental impacts of the project; whether recommended mitigation measures should be adopted or modified; and whether additional measures need to be applied to the project. In addition, the City will need to determine whether potentially feasible alternatives exist that would achieve most of the basic objectives of the project and reduce significant environmental effects; whether the potential benefits of the project would outweigh the significant and unavoidable impacts identified in the EIR; and whether the project should or should not be approved.

TABLE S-1
SUMMARY OF IMPACTS AND MITIGATION

Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
3.1 Air Quality			
Impact AQ-1: The project would not conflict with or obstruct implementation of the applicable air quality plan.	S	**Mitigation Measure AQ-2a: Construction Emissions Minimization Plan** (refer to Impact AQ-2) **Mitigation Measure AQ-2b: Construction Equipment Maintenance and Tuning** (refer to Impact AQ-2) **Mitigation Measure AQ-2c: Heavy-Duty Truck Model Year Requirement** (refer to Impact AQ-2) **Mitigation Measure AQ-2d: Super-Compliant VOC Architectural Coatings during Operations** (refer to Impact AQ-2) **Mitigation Measure AQ-2e: Best Available Emissions Controls for Stationary Emergency Generators** (refer to Impact AQ-2) **Mitigation Measure AQ-2f: Operational Diesel Truck Emissions Reduction** (refer to Impact AQ-2) **Mitigation Measure AQ-2g: Electric Vehicle Charging** (refer to Impact AQ-2) **Mitigation Measure AQ-2h: Enhanced Transportation Demand Management Program** (refer to Impact AQ-2) **Mitigation Measure AQ-3: Exposure to Air Pollution—Toxic Air Contaminants** (refer to Impact AQ-3) **Mitigation Measure AQ-5: Hydrogen Sulfide and Odor Management Program for the Potential Water Reuse Facility(s)** (refer to Impact AQ-5)	LTSM
Impact AQ-2: The proposed project would result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.	S	**Mitigation Measure AQ-2a: Construction Emissions Minimization Plan** To ensure that the project features assumed in the analysis of air pollutant emissions are implemented, and to further reduce criteria pollutant emissions from construction activities, the project applicant shall implement the following measures prior to the issuance of any demolition, grading, or building permits for each phase of the project: 1. *Engine Requirements.* a. As part of the project design, all off-road construction equipment with engines greater than 25 horsepower must adhere to Tier 4 Final off-road emissions standards, if commercially available (refer to Item #2, *Engine Requirement Waivers*, below, for the definition of "commercially available"). This adherence shall be verified through submittal of an equipment inventory and Certification Statement to the Director of Planning, Building and Code Enforcement or the Director's designee. The Certification Statement must state that each	SU

IMPACT CODES:

NA = not applicable
NI = no impact
LTS = less than significant or negligible impact; no mitigation required
LTSM = less than significant or negligible impact, after mitigation
S = significant
SU = significant and unavoidable adverse impact, after mitigation (where applicable)

TABLE S-1
SUMMARY OF IMPACTS AND MITIGATION

Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of the contractor's agreement and/or the general contract with the project applicant. b. The project applicant shall use alternative fuels as commercially available, such as renewable diesel, biodiesel, natural gas, propane, and electric equipment. The applicant must demonstrate to the satisfaction of the Director of Planning, Building and Code Enforcement, or the Director's designee, that any alternative fuels used in any construction equipment, such as biodiesel, renewable diesel, natural gas, or other biofuels, reduce ROG, NO_X, and PM emissions compared to traditional diesel fuel. c. The project applicant shall use electricity to power off-road equipment, specifically for all concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, and cement and mortar mixers, along with 90 percent of pressure washers and 70 percent of pumps, in all but isolated cases where diesel powered equipment is used as an interim measure prior to the availability of grid power at more remote areas of the site. Portable equipment shall be powered by grid electricity or alternative fuels (i.e., not diesel) instead of by diesel generators. 2. *Engine Requirement Waivers.* If engines that comply with Tier 4 Final off-road emission standards are not commercially available for specific off-road equipment necessary during construction, the project applicant shall provide the next cleanest piece of off-road equipment, as provided by the step-down schedule identified in Table M-AQ-2a. The project applicant shall provide to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval documentation showing that engines that comply with Tier 4 Final off-road emission standards are not commercially available for the specific off-road equipment necessary during construction. For purposes of this mitigation measure, "commercially available" shall take into consideration the following factors: (i) potential significant delays to critical-path timing of construction and (ii) the geographic proximity to the project site of Tier 4 Final equipment. The project applicant shall maintain records of its efforts to comply with this requirement.	

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S = significant
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TABLE M-AQ-2A
OFF-ROAD EQUIPMENT COMPLIANCE STEP-DOWN SCHEDULE

Compliance Alternative	Engine Emissions Standard	Emissions Control
1	Tier 4 Interim	N/A
2	Tier 3	CARB Level 3 VDECS
3	Tier 2	CARB Level 3 VDCES

NOTES: CARB = California Air Resources Board; N/A = not applicable; VDECS = Verified Diesel Emissions Control Strategies

How to use the table: If engines that comply with Tier 4 Final off-road emission standards are not commercially available, the project applicant shall meet Compliance Alternative 1. If off-road equipment meeting Compliance Alternative 1 is not commercially available, the project applicant shall meet Compliance Alternative 2. If off-road equipment meeting Compliance Alternative 2 is not commercially available, the project applicant shall meet Compliance Alternative 3.

3. *Additional Exhaust Emissions Control Measures*.

   The Emissions Plan (described in greater detail under Item #5, *Construction Emissions Minimization Plan*, below) shall include the applicable measures for controlling criteria air pollutants and toxic air contaminants during construction of the proposed project. Control measures shall include but are not limited to the following:

   a. Idling times on all diesel-fueled commercial vehicles weighing more than 10,000 pounds shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to two minutes, exceeding the five-minute limit required by the California airborne toxics control measure (California Code of Regulations Title 13, Section 2485s). Clear signage to this effect shall be provided for construction workers at all access points.

   b. Idling times on all diesel-fueled off-road vehicles exceeding 25 horsepower shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to two minutes. Fleet operators must develop a written policy as required by California Code of Regulations Title 23, Section 2449 (“California Air Resources Board Off-Road Diesel Regulations”).

   c. Portable equipment shall be powered by grid electricity if available, instead of diesel generators. If grid electricity is not available, batteries or fuel cell systems or other non-diesel fuels shall be used for backup power.

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SUMMARY OF IMPACTS AND MITIGATION

Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		d. The project applicant shall use super-compliant volatile organic compound (VOC) architectural coatings during construction for all interior and exterior spaces and shall include this requirement on plans submitted for review by the City's building official. "Super-compliant" coatings are those that meet a limit of 10 grams VOC per liter (http://www.aqmd.gov/home/regulations/compliance/architectural-coatings/super-compliant-coatings). e. All equipment to be used on the construction site shall comply with the requirements of California Code of Regulations Title 13, Section 2449 ("California Air Resources Board Off-Road Diesel Regulations"). This regulation imposes idling limits; requires that all off-road equipment be reported to California Air Resources Board and labeled; restricts adding older vehicles to fleets starting January 1, 2014; and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emissions Control Strategies. Upon request by the City (and Bay Area Air Quality Management District if specifically requested), the project applicant and/or its contractor shall provide written documentation that fleet requirements have been met. f. Truck routes shall be established to avoid both on-site and off-site sensitive receptors. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. This program must demonstrate how the project applicant will locate the truck routes as far from on-site receptors as possible and how truck activity (travel, idling, and deliveries) will be minimized. The Construction Emissions Minimization Plan must include the location of construction truck routes and must demonstrate that routes have been established as far as possible from the locations of all on-site and off-site sensitive receptors. g. The project applicant shall encourage walking, bicycling, and transit use by construction employees by offering incentives such as on-site bike parking, transit subsidies, and additional shuttles. The project shall achieve a performance standard of diverting at least 50 percent of construction employee trips from single-occupant vehicles. This may include the use of carpools and vanpools for construction workers. 4. *Dust Control Measures*. The project applicant shall implement the following dust control requirements during construction of the project, consistent with the San José Downtown Strategy: a. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent (verified by lab samples or moisture probe).	

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		b. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour (mph). c. All trucks and equipment, including tires, shall be washed off before they leave the project site. d. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. f. All vehicle speeds on unpaved roads shall be limited to 15 mph. g. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. h. A publicly visible sign shall be posted, listing the telephone number and person to contact at the lead agency (the City) regarding dust complaints. This person shall respond and take corrective action within 48 hours. The sign shall also include the telephone number of the on-site construction manager. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. i. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. k. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. l. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. 5. *Construction Emissions Minimization Plan*. Before starting each phase of on-site ground disturbance, demolition, or construction activities, the project applicant shall submit a Construction Emissions Minimization Plan (Emissions Plan) to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval. The Emissions Plan shall state, in reasonable detail, how the project applicant and/or its contractor shall meet the requirements of Section 1, Engine Requirements; Section 3, Additional Exhaust Emissions Control Measures; and Section 4, Dust Control Measures.	

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		a. The Emissions Plan shall include estimates of the construction timeline, with a description of each piece of off-road equipment required. The description shall include but not be limited to equipment type, equipment manufacturer, engine model year, engine certification (tier rating), horsepower, and expected fuel usage and hours of operation. b. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. c. The project applicant shall ensure that all applicable requirements of the Emissions Plan have been incorporated into the contract specifications. The plan shall include a certification statement that each contractor agrees to comply fully with the plan. d. The Emissions Plan shall be verified through an equipment inventory and Certification Statement submitted to the Director of Planning, Building and Code Enforcement or the Director's designee. The Certification Statement must state that the project applicant agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of the contractor's agreement with the project applicant and/or the general contractor. e. The project applicant and/or its contractor shall make the Emissions Plan available to the public for review on-site during working hours. The project applicant and/or its contractor shall post at the construction site a legible and visible sign summarizing the Emissions Plan. The sign shall also state that the public may ask to inspect the project's Emissions Plan at any time during working hours and shall explain how to request to inspect the Emissions Plan. The project applicant and/or its contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way. The sign shall include contact information for an on-site construction coordinator if any member of the public has complaints or concerns. 6. *Monitoring*. After the start of construction activities, the project applicant and/or its contractor shall submit annual reports to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, documenting compliance with the Emissions Plan. The reports shall indicate the actual location of construction during each year and must demonstrate how construction of each project component is consistent with the Emissions Plan. **Mitigation Measure AQ-2b: Construction Equipment Maintenance and Tuning** Prior to the issuance of any demolition, grading, or building permits for each phase, the project applicant shall implement the following measures: 1. Instruct all construction workers and equipment operators on the maintenance and tuning of construction equipment and require such workers and operators to	

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		properly maintain and tune equipment in accordance with the manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition before operation. Equipment check documentation shall be kept at the construction site and be available for review by the City and Bay Area Air Quality Management District as needed. 2. Implement the construction minimization requirements of Mitigation Measure AQ-2a Item #5, *Construction Emissions Minimization Plan*. 3. Implement the monitoring requirements of Mitigation Measure AQ-2a Item #6, *Monitoring*. **Mitigation Measure AQ-2c: Heavy-Duty Truck Model Year Requirement** Prior to the issuance of any demolition, grading, or building permits for each phase, the project applicant shall ensure that all on-road heavy-duty trucks with a gross vehicle weight rating of 33,000 pounds or greater used at the project site during construction (such as haul trucks, water trucks, dump trucks, and vendor trucks) have engines that are model year 2014 or newer. This assurance shall be included in the construction contracts for all contractors and vendors using heavy-duty trucks for any construction-related activity. **Mitigation Measure AQ-2d: Super-Compliant VOC Architectural Coatings during Operations** Prior to the issuance of any building permits, the project applicant shall set an enforceable protocol for inclusion in all lease terms and/or building operation plans for all non-residential and residential developed blocks requiring all future interior and exterior spaces to be repainted only with "super-compliant" VOC (i.e., ROG) architectural coatings beyond BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). "Super-compliant" coatings meet the standard of less than 10 grams VOC per liter (http://www.aqmd.gov/home/regulations/compliance/architectural-coatings/super-compliant-coatings). The Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, shall review the mandatory protocol to ensure that this requirement is included, and shall mandate that this requirement be added if not included. **Mitigation Measure AQ-2e: Best Available Emissions Controls for Stationary Emergency Generators** To reduce emissions of criteria pollutants and TACs associated with operation of the proposed project, the project applicant shall implement the following measures. These features shall be submitted to the Director of the Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval, and shall be	

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		included on the project drawings submitted for the construction-related permit(s) or on other documentation submitted to the City prior to the issuance of any building permits: 1. Permanent stationary emergency generators installed on-site shall have engines that meet or exceed CARB Tier 4 Off-Road Compression Ignition Engine Standards (California Code of Regulations Title 13, Section 2423), which have the lowest NO_X and PM emissions of commercially available generators. If the California Air Resources Board adopts future emissions standards that exceed the Tier 4 requirement, the emissions standards resulting in the lowest NO_X emissions shall apply. 2. As non-diesel-fueled emergency generator technology becomes readily available and cost effective in the future, and subject to the review and approval of the City fire department for safety purposes, non-diesel-fueled generators shall be installed in new buildings, provided that alternative fuels used in generators, such as biodiesel, renewable diesel, natural gas, or other biofuels or other non-diesel emergency power systems, are demonstrated to reduce ROG, NO_X, and PM emissions compared to diesel fuel. 3. Permanent stationary emergency diesel backup generators shall have an annual maintenance testing limit of 50 hours, subject to any further restrictions as may be imposed by Bay Area Air Quality Management District (BAAQMD) in its permitting process. 4. For each new diesel backup generator permit submitted to BAAQMD for the proposed project, the project applicant shall submit the anticipated location and engine specifications to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval prior to issuance of a permit for the generator. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment, and any future replacement of the diesel backup generators must be consistent with these emissions specifications. The operator of the facility at which the generator is located shall maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and shall provide this information for review to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, within three months of requesting such information. **Mitigation Measure AQ-2f: Operational Diesel Truck Emissions Reduction** The project applicant shall incorporate the following measures into the project design and construction contracts (as applicable) to reduce emissions associated with operational diesel trucks, along with the potential health risk caused by exposure to toxic air contaminants. These features shall be submitted to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval prior to the issuance of any building permits, and shall be included on the project	

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		drawings submitted for the construction-related permit or on other documentation submitted to the City. Emissions from project-related diesel trucks shall be reduced by implementing the following measures: 1. Equip all truck delivery bays with electrical hook-ups for diesel trucks at loading docks to accommodate plug-in electric truck transportation refrigeration units (TRUs) during project operations. Ensure that intra-campus delivery vehicles traveling within the project site to serve the project applicant are all electric or natural gas. 2. Encourage the use of trucks equipped with TRUs that meet U.S. Environmental Protection Agency Tier 4 emission standards. 3. Prohibit TRUs from operating at loading docks for more than thirty minutes by posting signs at each loading dock presenting this TRU limit. 4. Prohibit trucks from idling for more than two minutes by posting "no idling" signs at the site entry point, at all loading locations, and throughout the project site. **Mitigation Measure AQ-2g: Electric Vehicle Charging** Prior to the issuance of the final building's certificate of occupancy for each phase of construction, the project applicant shall demonstrate that at least 15 percent of all parking spaces are equipped with electric vehicle (EV) charging equipment, which exceeds the San José Reach Code's requirement of 10 percent EV supply equipment spaces. The installation of all EV charging equipment shall be documented in a report submitted to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval, and shall be included on the project drawings submitted for the construction-related permit(s) or on other documentation submitted to the City. **Mitigation Measure AQ-2h: Enhanced Transportation Demand Management Program** The project applicant shall develop and submit a Transportation Demand Management (TDM) Program for review and approval by the Directors of Public Works and Planning, Building, and Code Enforcement or the Directors' designees prior to or concurrent with adoption of the PD Permit. The TDM program shall be designed such that all project-related daily vehicle trips are reduced with the primary focus on the office and residential components of the proposed project. (Office and residential trips would comprise approximately 85 percent of project vehicle trips and are assumed to serve as a proxy for all project trips.) The TDM program shall: (A) Be designed to meet performance standards that include exceeding the 15 percent transportation efficiency requirement of AB 900 *and* achieving additional vehicle	

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		trip reductions to mitigate transportation-related environmental impacts and reduce criteria pollutant emissions from mobile sources, as described below; (B) Describe project features and TDM measures that shall and may be used to achieve the performance standard commitments; (C) Describe a monitoring and reporting program, including a penalty structure for non-compliance; and (D) Recognizing that commute patterns, behavior and technology continue to evolve, describe a process for amending and updating the TDM program as needed over time while continuing to achieve the performance standards described below. These elements of the TDM Program are described further below. A. **Performance Standards:** The project's TDM program shall be designed to achieve the performance standards described below: • Assuming currently available (pre-COVID-19) public transit service levels, achieve a non-single occupancy vehicle (SOV) rate of 50 percent, which is estimated to be equivalent to a 24 percent reduction in daily vehicle trips from the City of San José Travel Demand Forecasting Model's travel demand outputs. • Following completion of service enhancements related to Caltrain Electrification, achieve a non-SOV rate of 60 percent, which is estimated to be equivalent to a 26 percent reduction in daily vehicle trips from the City Travel Demand Forecasting Model's travel demand outputs. • Following completion of service enhancements related to the start of BART service to Diridon Station, achieve a non-SOV rate of 65 percent, which is estimated to be equivalent to a 27 percent reduction in daily vehicle trips from the City Travel Demand Forecasting Model's travel demand outputs. B. **TDM Program:** Project features and required SOV trip reduction strategies shall include the following elements: 1. Improvements to pedestrian and bicycle facilities on-site and connecting the site to surrounding areas, including construction/contribution to Los Gatos Creek Trail improvements and on-street connectors between West San Carlos Street and West Santa Clara Street; 2. Limited parking supplies on-site, including no more than 4,800 parking spaces for commercial uses and no more than 2,360 spaces for residential development (a portion of the residential spaces could be available as shared-use spaces for office employees) and enforcement of parking maximums for new uses as a disincentive for employees and visitors to the site, encouraging them to carpool, take transit, bike, and walk instead of drive;	

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		3. Market-rate parking pricing for non-residential uses and unbundled parking for market-rate residential uses; 4. Pre-tax commuter benefits for employees allowing employees to exclude their transit or vanpooling expenses from taxable income or an alternate commuter benefit option consistent with the MTC/BAAQMD Commuter Benefits Program required for employers with 50 or more full-time employees; 5. Marketing (encouragement and incentives) to encourage transit use, carpooling, vanpooling, and all non-SOV travel by employees and residents, including welcome packets for new employees and residents, and dissemination of information about Spare the Air Days in the San Francisco Bay Area Air Basin, as recommended by the 2017 Clean Air Plan; and 6. Rideshare coordination, such as implementation of the 511 Regional Rideshare Program or equivalent, as recommended by the 2017 Clean Air Plan. Other supplemental SOV trip reduction strategies to meet performance standards shall include some combination of the following: **Transit Fare Subsidy**: Make available transit passes to employees and residents to make transit an attractive, affordable mode of travel. **Parking Pricing Structure**: Ensure that the parking pricing structure complements on-street parking pricing and encourages "park once" behavior for all uses. **Preferential Carpool and Vanpool Parking**: Provide dedicated parking for carpool and vanpool vehicles near building and garage entrances. **On-Site Bicycle Storage**: Provide additional security and convenience for bicycle parking, such as lockers or secured bicycle rooms. **Designated Ride-Hailing Waiting Areas**: Dedicate curbside areas for passenger pickup by ride-hailing services, to minimize traffic intrusion and double-parking by rideshare vehicles. **Traffic Calming**: Implement on-site traffic calming improvements to support the increased use of walking, biking, and transit.	

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		Express Bus or Commuter Shuttle Services	Provide express bus or other commuter shuttle services to complement existing, high-quality, high-frequency public transit; service may also be provided through public/private partnerships with transit providers.	
		Alternative Work Schedules and Telecommuting	Allow and encourage employees to adopt alternative work schedules and telecommute when possible, reducing the need to travel to the office component of the project.	
		First-/Last-Mile Subsidy	Provide subsidies for first-/last-mile travel modes to employees to reduce barriers to the use of transit as a primary commute mode by making short connecting trips to and from longer transit trips less costly and more convenient. First-/last-mile subsidies could be used to access bicycle share, scooter share, ride hailing, and local bus and shuttle services, and could subsidize bicycling and walking.	
		On-Site Transportation Coordinators	Provide TDM program outreach and marketing via on-site transportation coordinators who can also give individualized directions, establish ridesharing connections, and provide other alternative travel information to project employees and residents.	
		Technology-Based Services	Use technology-based information, encouragement, and trip coordination services to encourage carpooling, transit, walking, and biking by project employees and visitors. These can include third-party apps to distribute incentives to people who choose to use these modes.	
		Employer-Sponsored Vanpools	Coordinate and provide subsidized vanpools for employees who cannot easily commute via transit.	
		Biking Incentives and On-Site Bike Repair Facilities	Provide additional incentives that encourage bicycle usage and ability to repair bikes on site.	

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Carshare Program	Provide carshare subsidies to residents encourage the use of carshare programs (such as ZipCar, Car2Go, and Gig) and limit parking demand.
Building-Specific TDM Plans	Develop customized TDM plans for specific buildings and tenants to better address the needs of their users.
Transportation Management Agency Membership	Join a non-profit transportation management association if formed for Downtown San José, and leverage the larger pool of commuters and residents to improve TDM program marketing and coordinate TDM programs.

C. **Monitoring and Enforcement:** Starting in the calendar year after the City issues the first certificate of occupancy for the first office or residential building in the first development phase, the project applicant shall retain the services of an independent City-approved transportation planning/engineering firm to conduct an annual mode-share survey of the project's office and residential components each fall (mid-September through mid-November). The survey shall be conducted to determine whether the project is achieving the non-SOV mode share for office and residential uses sufficient to indicate the specified trip reductions. The applicant shall submit an annual report to the staff of the San José Department of Transportation each January 31 of the following year.

The annual report shall describe: (a) implementation of the TDM program; and (b) results of the annual mode split survey, including a summary of the methodology for collecting the mode split data, statistics on response rates, a summary conclusion, and an outline of additional TDM measures (i.e., a corrective action plan) to be implemented in subsequent years if the non-SOV mode split goal is not reached.

If timely reports are not submitted and/or reports indicate that the project office and residential uses have failed to achieve the non-SOV mode share specified above in two consecutive years after issuance of the certificates of occupancy for 50 percent of the office development, the project will be considered in violation of this mitigation measure. The City will issue a notice of non-compliance after the first year the project fails to meet monitoring requirements (submittal of timely reports and/or achieving specified non-SOV mode share), after which the applicant has one year to comply with the monitoring requirements.

After two years of not meeting monitoring requirements, the City may initiate enforcement action against the applicant and successors, including imposition of financial penalties to the owners and/or operators of the office and residential

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		development that will support the funding and management of transportation improvements that would bring the non-SOV mode share to the targeted level. Enforcement actions shall generally be consistent with City Council Policy 5-1, and shall include a mutually agreed-upon monetary cap. If timely reports are submitted and demonstrate that the applicant has achieved the non-SOV mode share specified above for five consecutive years after full project occupancy, monitoring shall no longer be required annually, and shall instead be required every five years, or upon request by the City of San José Planning, Building, and Code Enforcement Department or Department of Public Works for an annual update, as needed. D. **Flexibility and Amendments:** The project applicant may propose amendments to the approved TDM program as part of its annual report each year, subject to review and approval by the Director of Public Works and Director of Planning, Building, and Code Enforcement or the Directors' designees. The applicant shall not be permitted to decrease the performance standards specified in Section A, above. The City and the project applicant expect that the TDM program will evolve as travel behavior changes and as new technologies become available. Any proposed changes will be considered approved unless the Director of Public Works and Director of Planning, Building, and Code Enforcement object to the proposed change within 30 days of receipt.	
Impact AQ-3: The proposed project would expose sensitive receptors to substantial pollutant concentrations.	S	**Mitigation Measure AQ-2a: Construction Emissions Minimization Plan** (refer to Impact AQ-2) **Mitigation Measure AQ-2b: Construction Equipment Maintenance and Tuning** (refer to Impact AQ-2) **Mitigation Measure AQ-2c: Heavy-Duty Truck Model Year Requirement** (refer to Impact AQ-2) **Mitigation Measure AQ-2e: Best Available Emissions Controls for Stationary Emergency Generators** (refer to Impact AQ-2) **Mitigation Measure AQ-2f: Operational Diesel Truck Emissions Reduction** (refer to Impact AQ-2) **Mitigation Measure AQ-2g: Electric Vehicle Charging** (refer to Impact AQ-2) **Mitigation Measure AQ-2h: Enhanced Transportation Demand Management Program** (refer to Impact AQ-2) **Mitigation Measure AQ-3: Exposure to Air Pollution—Toxic Air Contaminants** The project applicant shall incorporate the following health risk reduction measures into the project design to reduce the potential health risk caused by exposure to toxic	SU

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		air contaminants (TACs), as feasible for the project's sources of TACs. These features shall be submitted to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval and shall be included on the project drawings submitted for the construction-related permit(s) or on other documentation submitted to the City: 1. Plant trees and/or vegetation between new on-site and existing off-site sensitive receptors and the project's operational source(s) of TACs, if feasible. In addition, plant trees and/or vegetation between new on-site sensitive receptors and existing background sources of toxic air contaminants, if feasible. Locally native trees that provide suitable trapping of particulate matter are preferred. 2. Construction trucks shall adhere to the modeled haul route as presented in Figure 3.1-2. If an alternative truck haul route is used, the project applicant shall quantitatively demonstrate to the satisfaction of the Director of Planning, Building and Code Enforcement, or the Director's designee, that these haul routes would not result in health risks that exceed the project-level thresholds of significance for either existing off-site or new on-site sensitive receptors.	
Impact AQ-4: Traffic associated with the development of the proposed project would not contribute to carbon monoxide concentrations exceeding the California ambient air quality standards of 9 parts per million averaged over eight hours and 20 parts per million for one hour.	LTS	None required	LTS
Impact AQ-5: The proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	S	**Mitigation Measure AQ-5: Hydrogen Sulfide and Odor Management Program for the Potential Water Reuse Facility(s)** Prior to construction of each WRF, the project applicant shall develop a Hydrogen Sulfide and Odor Management program (HSOM Program) at each water reuse facility (WRF) for review and approval by the Director of Planning, Building and Code Enforcement and the Director of Environmental Services, or the Directors' designees. The HSOM Program shall address hydrogen sulfide and odor management using a performance-based approach designed to meet the regulatory ambient air concentrations established in BAAQMD Regulation 9, Rule 2, (i.e., 0.06 ppm averaged over three consecutive minutes or 0.03 ppm averaged over any 60 consecutive minutes) and to limit public complaints. The HSOM Program shall include best management practices and emissions controls as follows: 1. For grit and screenings, refuse containers shall be odor proof and contained within an area draining to the sanitary sewer.	LTSM

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		2. Primary screenings shall be housed in a ventilated enclosure at the WRF(s). 3. Carbon absorption, biofiltration, or ammonia scrubbers shall be installed at the WRF(s). 4. Ferrous chloride injection for hydrogen sulfide removal may also be installed and implemented if necessary. The project applicant shall implement the HSOM Program on an ongoing basis and provide the Directors or the Directors' designees with an annual report to describe implementation of the program and any adjustments needed to improve performance. The HSOM Program shall address odor complaints that occur over time and shall designate WRF staff to receive and respond to complaints. The name and contact information of the responsible WRF staff shall be posted in a noticeable location on each WRF facility. The performance standard for odors shall be based on a three-tier threshold based on 30-day, 90-day, and three year averaging times for complaints. The performance standards that must be met shall be as follows: 1. Three or more violation notices for public nuisance related to odors issued by the BAAQMD within a 30-day period; 2. Odor complaints from ten or more complainants within a 90-day period; or 3. Five or more confirmed odor complaints per year averaged over three years as an indication of a significant odor impact from a facility. If one or more of these standards are not met, the project applicant shall revise the program and make any necessary improvement to the WRF odor controls to achieve all performance standards in subsequent reporting years. Additionally, odor-control facilities shall be designed to meet the requirements of Section 302 of BAAQMD Regulation 7 and shall not allow the WRF to discharge any odorous substance that causes the ambient air at or beyond the property line to be odorous and to remain odorous after dilution with four parts of odor-free air.	

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Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area, would result in a cumulatively considerable contribution to significant cumulative regional air quality impacts.	S	**Mitigation Measure AQ-2a: Construction Emissions Minimization Plan** (refer to Impact AQ-2) **Mitigation Measure AQ-2b: Construction Equipment Maintenance and Tuning** (refer to Impact AQ-2) **Mitigation Measure AQ-2c: Heavy-Duty Truck Model Year Requirement** (refer to Impact AQ-2) **Mitigation Measure AQ-2d: Super-Compliant VOC Architectural Coatings during Operations** (refer to Impact AQ-2) **Mitigation Measure AQ-2e: Best Available Emissions Controls for Stationary Emergency Generators** (refer to Impact AQ-2) **Mitigation Measure AQ-2f: Diesel Truck Emissions Reduction** (refer to Impact AQ-2) **Mitigation Measure AQ-2g: Electric Vehicle Charging** (refer to Impact AQ-2) **Mitigation Measure AQ-2h: Enhanced Transportation Demand Management Program** (refer to Impact AQ-2) **Mitigation Measure AQ-5: Hydrogen Sulfide and Odor Management Program for the Potential Water Reuse Facility(s)** (refer to Impact AQ-5)	SU
Impact C-AQ-2: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area, would result in a cumulatively considerable contribution to significant cumulative health risk impacts on sensitive receptors.	S	**Mitigation Measure AQ-2a: Construction Emissions Minimization Plan** (refer to Impact AQ-2) **Mitigation Measure AQ-2b: Construction Equipment Maintenance and Tuning** (refer to Impact AQ-2) **Mitigation Measure AQ-2c: Heavy-Duty Truck Model Year Requirement** (refer to Impact AQ-2) **Mitigation Measure AQ-2e: Best Available Emissions Controls for Stationary Emergency Generators** (refer to Impact AQ-2) **Mitigation Measure AQ-2f: Operational Diesel Truck Emissions Reduction** (refer to Impact AQ-2) **Mitigation Measure AQ-2g: Electric Vehicle Charging** (refer to Impact AQ-2) **Mitigation Measure AQ-2h: Enhanced Transportation Demand Management Program** (refer to Impact AQ-2) **Mitigation Measure AQ-3: Exposure to Air Pollution—Toxic Air Contaminants** (refer to Impact AQ-3)	SU

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TABLE S-1
SUMMARY OF IMPACTS AND MITIGATION

Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
3.2 Biological Resources			
Impact BI-1: The proposed project could have a substantial adverse effect, either directly, indirectly, or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS (western pond turtle, central California coast steelhead distinct population segment, nesting birds, special-status bats).	S	**Mitigation Measure BI-1a: General Avoidance and Protection Measures** This measure shall be required for demolition, site preparation (including clearing of vegetation), and construction work in the Los Gatos Creek channel and riparian corridor and the 50-foot building construction setback from the riparian corridor. It shall also be required for proposed construction activities within 50 feet of the Guadalupe River (Blocks E1 and E3), and work within 20 feet of the creeping wild rye plant community described under Impact BI-2. Relevant avoidance and protection measures shall be included on demolition, grading, and building permit plans. • Before the issuance of any demolition, grading, or building permit, a qualified biologist shall prepare a worker environmental awareness training brochure and submit the brochure to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval. The training shall be distributed to the construction contractor for the specific work in question to ensure that a copy is available to all construction workers on-site. The training shall be implemented as described below. • A California Department of Fish and Wildlife (CDFW)– and National Marine Fisheries Service (NMFS)–approved biologist shall be present to monitor all of the following activities: – All construction-related work within the Los Gatos Creek channel or riparian corridor or the 50-foot building construction setback from the riparian corridor; – Construction activities within 50 feet of the Guadalupe River (Blocks E1 and E3 and the former San Jose Water Company building); and – Work within 20 feet of the creeping wild rye plant community. The biologist shall prepare and submit daily reports demonstrating compliance with all general avoidance and protection measures to the Director of Planning, Building and Code Enforcement or the Director's designee. • A qualified biologist shall provide the worker environmental awareness training to field management and construction personnel. Communication efforts and training shall take place during pre-construction meetings so that construction personnel are aware of their responsibilities and the importance of compliance. The training shall identify the types of sensitive biological resources in the project area (nesting birds, roosting bats, salmonids, western pond turtle, riparian habitat, and creeping wild rye plant community) and the measures required to avoid impacting these resources. The materials covered in the training program shall include environmental rules and regulations for the specific project and shall require workers to limit activities to the construction work area and avoid demarcated sensitive resource areas.	LTSM

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		• If the project adds new construction personnel, the contractor for the work in question shall ensure that the new personnel receive worker environmental awareness training before starting work within the Los Gatos Creek riparian corridor or channel; within the 50-foot building construction setback from the Los Gatos Creek riparian corridor and the Guadalupe River; or within 20 feet of the creeping wild rye plant community. The contractor shall maintain a sign-in sheet identifying the individuals who have received the training. A representative from the contractor company for the work in question shall be appointed during the training to be the contact person for any employee or contractor who might inadvertently kill or injure a listed species, or who finds a dead, injured, or entrapped individual. The representative's name and telephone number shall be provided to NMFS and CDFW before the start of ground disturbance. • The minimum qualifications for a qualified biologist shall be a four-year college degree in biology or related field and at least two years' demonstrated experience with the species of concern. • If a listed wildlife species is discovered, construction activities shall not begin in the immediate vicinity of the individual until the CDFW Region 3 office in Fairfield is contacted, and the discovered species has been allowed to leave and is no longer present in the construction area. • Any special-status species observed by the qualified biologist shall be reported to CDFW by the qualified biologist, or by a biologist designated by the qualified biologist, so that the observations can be added to the California Natural Diversity Database. • The discharge of water from new construction sites into Los Gatos Creek or the Guadalupe River shall be prohibited if the temperature of the discharged water exceeds 72 degrees Fahrenheit (°F), unless modeling studies and subsequent monitoring demonstrate that the volume of the discharge would not increase maximum daily stream temperatures above 75.2°F. This prohibition shall cover both direct discharges and indirect discharges into local storm drains that discharge to Los Gatos Creek or the Guadalupe River. Construction discharges shall be prohibited until the discharged water cools below the average daily stream temperature at the discharge point or maximum daily stream temperatures drop below 75°F. **Mitigation Measure BI-1b: In-Water Construction Schedule** All in-water construction work in the Los Gatos Creek channel shall occur outside of the normal rainy season, between June 1 and October 15 inclusive (or as otherwise specified by permits from the San Francisco Bay Regional Water Quality Control Board, California Department of Fish and Wildlife, National Marine Fisheries Service, and/or U.S. Army Corps of Engineers), when flows in Los Gatos Creek and the	

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Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		Guadalupe River are normally at their lowest and special-status anadromous fish species are least likely to occur in the project area. **Mitigation Measure BI-1c: Native Fish Capture and Relocation** The project applicant shall ensure that any contractor for any construction work in the Los Gatos Creek channel prepares and submits a fish relocation plan (consistent with federal and state permit requirements) for in-water work in Los Gatos Creek. Relocation shall be required only for in-water work in the Los Gatos Creek channel. The plan shall be prepared in coordination with the California Department of Fish and Wildlife (CDFW), and a copy of the final plan shall be provided to the Director of Planning, Building and Code Enforcement or the Director's designee, along with demonstration of coordination with CDFW. Implementation of the fish relocation plan shall be consistent with the following conditions: • Before rescues of listed species are attempted, any necessary authorization shall be obtained from the resource agencies (CDFW and/or National Marine Fisheries Service [NMFS]). • Before dewatering may occur, a qualified biologist shall determine whether the extent of dewatering will result in immediate or foreseeable impacts on fish and wildlife. This shall include conducting a reconnaissance survey of the dewatering zone. • Before dewatering can begin, the following elements of fish relocation shall be determined: – *Staging Area:* Staging areas in the dewatering zone shall be identified. Sites should be selected based on their proximity and access to the dewatering zone and ability to support safe operation of the equipment. – *Relocation Sites:* Relocation site(s) shall be identified. Priority shall be given to a site's close proximity to the dewatering zone in the same stream. If a qualified on-site biologist determines that no suitable site in the stream is available, then "second choice" locations within the watershed shall be selected. In all cases, the closest site that is likely to result in a successful rescue shall be used. – *Transportation Routes:* Transport routes for rescued fish species shall be determined in advance of dewatering. – *Disease Consideration:* To guard against disease transmission, fish shall not be moved upstream over substantial barriers or long distances (i.e., greater than 10 miles). • If salmonids are encountered during relocation, they shall be moved upstream to a location of perennial running water or the best available habitat determined by a qualified biologist. Collection and transport methods shall be determined based on	

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		site conditions. Methods shall also be selected to maximize the efficiency of the collection effort while minimizing handling and transport time and stress. Creek water from the site shall be used in all containers. The local transport of fish may be completed using various methods, including: – *Net Transfer:* Appropriate for short distances (less than 50 feet) where rapid transfer is possible. – *Live Car:* Appropriate for temporary holding in the stream and for short distances where a rapid transfer is required. – *Bucket:* Appropriate for temporary holding and transport over short to medium distances. Holding time should be minimized if possible and aeration should be supplied. – *Aerated Cooler:* Appropriate for temporary holding and transport for long distances. Temperature shall be maintained to be similar to the temperature of the source creek water, and if necessary, fish shall be sorted by size to reduce risks of predation. • Species and collection/relocation sites shall be prioritized as follows: (1) Threatened species; and (2) other native fishes. • A contact person at each of the appropriate resource agencies (CDFW, NMFS, and/or U.S. Fish and Wildlife Service) shall be identified in the relocation plan. At least 24 hours before fish relocation begins, the appropriate resource agencies shall be notified to communicate the details of the fish relocation and to confirm disposition instructions. • Fish shall be relocated under the following conditions: – *Setup:* Upon arrival at the site, a qualified biologist shall review the operational sequence and logistics of the rescue and field assignments shall be designated. The fish relocation team shall review safety and operational methods. – *Live Well Operation:* ▪ If necessary, live wells shall be set up early in the operation to stabilize tank conditions. ▪ Local "native" water shall be used to fill live wells, if available and clean. ▪ To lessen stress on fish, the temperature in live wells shall be reduced or managed to be compatible with the water temperatures in which the fish were encountered. ▪ To ensure that sufficient oxygen is present during the adjustment period, the aeration system shall be started before fish are placed into the live well. When salmonids are placed in the live well, the live well shall be managed to the extent possible so that the dissolved oxygen concentration is greater than 6 milligrams per liter, but less than saturation.	

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		– *Electrofishing Operation:* ▪ The electrofishing unit settings shall be adjusted to the conductivity and temperature of the water. Settings shall be adjusted for either varying width (wide to narrow) or varying frequency (high to low) to minimize possible fish injury when these settings elicit proper taxis (i.e., response of fish toward or away from stimulus) for fish capture. ▪ The settings used and any incidental electrofishing mortalities shall be recorded in the field notebook. If electrofishing mortalities for salmonids and other species listed as threatened or endangered exceed 5 percent of the total capture, or as otherwise specified in any biological resource permits, a qualified biologist shall re-evaluate and possibly terminate electrofishing activities. ▪ Fish other than salmonids experiencing mortality from electrofishing activities shall be noted and used as an indicator of the possible injury or mortality rates of salmonids and other fish. – *General Collection Guidelines:* ▪ Fish shall be collected in a manner to minimize handling time and stress, yet maintain the safety of personnel. ▪ Multiple buckets and/or live cars shall be used to reduce crowding during collection and transfer. ▪ Fish shall be pre-sorted as needed for transport. ▪ Buckets that hold salmonids shall be equipped with portable aerators until the fish are transferred to a live well. – *Transport:* ▪ Fish shall be transported to minimize holding time and alternately sequenced in tandem with ongoing collection activities. ▪ Normal live well operations shall continue during transport. – *Records and Data:* ▪ Fish shall be inventoried and pertinent data shall be recorded, including species, numbers of each species, disposition, and fork length. If conditions preclude a complete inventory, at a minimum, the species present and their disposition shall be documented and their abundance shall be estimated. ▪ Information on ambient site conditions (available habitat/water quality) shall be recorded as appropriate, including photo documentation at collection and release sites and other information on collection, handling, and transport.	

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		▪ At completion, a qualified biologist shall conduct an assessment of the fish relocation to identify lessons learned, estimate the number of individual fish and fish species moved, and determine the mortality rate. The assessment report shall be forwarded to the appropriate resource agencies and to the Director of Planning, Building, and Code Enforcement or the Director's designee within a month of the completion of in-water work. **Mitigation Measure BI-1d: Western Pond Turtle Protection Measures** Prior to the start of any construction activities within 50 feet of the Los Gatos Creek riparian corridor (measured from the outer dripline of riparian vegetation or the top of bank, whichever is greater), the project applicant for the specific construction activity to be undertaken shall retain a qualified biologist to conduct pre-construction surveys for western pond turtles in all suitable habitats (i.e., aquatic and upland in the Los Gatos Creek riparian corridor) near the work site. Surveys shall take place no more than 72 hours before the onset of site preparation and construction activities that have the potential to disturb turtles or their habitat and copies shall be provided to the Director of Planning, Building, and Code Enforcement or the Director's designee. If pre-construction surveys identify active western pond turtle nests on the project site, the biologist shall establish no-disturbance buffer zones around each nest using temporary orange construction fencing. The demarcation shall be permeable to allow young turtles to move away from the nest after hatching. The radius of the buffer zone and the duration of exclusion shall be determined in consultation with the California Department of Fish and Wildlife (CDFW). The buffer zones and fencing shall remain in place until the young have left the nest, as determined by the qualified biologist. A qualified biologist shall monitor construction activities near suitable habitat within which western pond turtle is found (either during the survey or observed during construction), and shall remove and relocate western pond turtles in proposed construction areas to suitable habitat outside the project limits, consistent with CDFW protocols and handling permits. Relocation sites shall be subject to CDFW approval. If any turtles are found on the project site, construction activities shall halt within 50 feet of the turtle(s) and the qualified biologist shall be notified. If the biologist determines that the turtle is a western pond turtle, the turtle shall be relocated into nearby suitable habitat consistent with CDFW protocols and with approval from CDFW. The biologist shall submit a final report to the Director of Planning, Building, and Code Enforcement or the Director's designee following completion of construction and relocation. **Mitigation Measure BI-1e: Avoidance of Impacts on Nesting Birds** Prior to the issuance of any demolition, grading, or building permits, the project shall implement the following measures to avoid impacts on nesting migratory birds:	

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		• **Avoidance:** The project applicant for the specific construction activity to be undertaken shall schedule demolition and construction activities to avoid commencement during the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay Area, extends from February 1 through August 15 (inclusive), as amended. • **Nesting Bird Surveys:** If demolition and construction cannot be scheduled to occur between August 16 and January 31 (inclusive), a qualified ornithologist shall complete pre-construction surveys for nesting birds to ensure that no nests are disturbed during project implementation. This survey shall be completed no more than 14 days before the start of construction activities during the early part of the breeding season (February 1 through April 30 inclusive), and no more than 30 days before the start of construction activities during the late part of the breeding season (May 1 through August 15 inclusive). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. • **Buffer Zones:** If an active nest is found within 250 feet of work areas to be disturbed by construction, the ornithologist, in coordination with the California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet for raptors and 100 feet for songbirds, or an area determined to be adequate by the qualified ornithologist in coordination with CDFW, to ensure that raptor or migratory bird nests are not be disturbed during project construction. The no-disturbance buffer shall remain in place until the ornithologist determines that the nest is no longer active or the nesting season ends. If construction ceases for 7 days or more, then resumes during the nesting season, an additional survey shall be necessary to avoid impacts on active bird nests that may be present. • **Reporting:** The project applicant for the specific construction activity to be undertaken shall submit the ornithologist's report indicating the results of the surveys and any designated buffer zones to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval prior to issuance of any grading or building permits or tree removal (whichever occurs first). • The results of the surveys and any identified designated buffer zones shall be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee. **Mitigation Measure BI-1f: Roosting Bat Surveys** In advance of tree and structure removal or adaptive reuse, a qualified biologist shall conduct a pre-construction survey for special-status bats to characterize potential bat habitat and identify active roost sites within 100 feet of the project site. The results of the surveys and the locations of any designated buffer zones shall be submitted to the	

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		Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval prior to issuance of any demolition or building permits. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed or renovated under the project or within a 100-foot buffer zone from these areas, the following measures shall be implemented: • Removal of trees and structures with active roosts shall occur when bats are active, approximately between March 1 and April 15 inclusive and between September 15 and October 15 inclusive. To the extent feasible, removal shall occur outside of bat maternity roosting season (approximately April 15 to August 31 inclusive) and outside of the months of winter torpor (approximately October 16 to February 28 inclusive). • If removing trees and structures during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the project area where tree and structure removal is planned, a 100-foot no-disturbance buffer shall be established around these roost sites until the qualified biologist has determined that they are no longer active. • The qualified biologist shall be present during removal of trees and structures when active bat roosts not being used for maternity or hibernation purposes are present. Trees and structures with active roosts shall be removed only when no rain is occurring and rain is not forecast to occur for 3 days following removal of the roost, and when daytime temperatures are at least 50 degrees Fahrenheit. • Removal of trees with active or potentially active roost sites shall follow a two-step removal process: (1) On the first day of tree removal and under the supervision of the qualified biologist, branches and limbs that do not contain cavities or fissures in which bats could roost shall be cut only using chainsaws. Removal of the canopy makes the tree unappealing for bats to return that evening to roost. (2) On the following day and under the supervision of the qualified biologist, after confirmation that bats have not returned, the remainder of the tree may be removed, using either chain saws or other equipment (e.g., excavator or backhoe). Structures that contain or are suspected to contain active bat roosts, but that are not being used for maternity or hibernation purposes, shall be dismantled under the supervision of the qualified biologist in the evening, after bats have emerged from the roost to forage. The structures shall be partially dismantled to substantially change roost conditions, causing the bats to abandon and not return to the roost.	

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Impact BI-2: The proposed project could have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by CDFW or USFWS.	S	**Mitigation Measures BI-1a**, **BI-1b**, **BI-1c**, **BI-1e**, **BI-1f**, **HY-3b,** and **NO-1a** **Mitigation Measure BI-2a: Avoidance of Impacts on Riparian Habitat** The project applicant for the specific construction activity to be undertaken and its contractors shall implement the following measures. For portions of the project site located within 50 feet of the riparian corridor—such as the new footbridge; multi-use trail and associated infrastructure; pedestrian boardwalks, viewing platforms, and signage; removal and replacement of fencing; replacement of the West San Fernando Street vehicle bridge; reconstruction of the existing storm drain; and building demolition, construction, and renovation—a qualified biologist shall clearly delineate the construction footprint in or within 50 feet of the riparian area with flagging before the start of construction to avoid the accidental removal or trampling of vegetation outside of the project limits. The limits of construction within 50 feet of the riparian corridor shall be confined to the smallest possible area to complete the required work. The edge of construction in and near riparian areas shall be separated and protected from the work area through silt fencing, amphibian-friendly fiber rolls (i.e., no microfilament), or other appropriate erosion control material. Staging of materials and all other project-related activity shall be located at least 25 feet upslope from riparian areas. Where disturbance to riparian habitat cannot be avoided, any temporarily affected riparian habitat shall be restored to pre-construction conditions or better at the end of construction, in accordance with the requirements of USACE, the San Francisco Bay Regional Water Quality Control Board, and CDFW permits. Compensation for permanent impacts on riparian habitat shall be provided at a 1:1 or greater ratio, or as specified by USACE, the San Francisco Bay Regional Water Quality Control Board, and CDFW. Compensation for loss of riparian habitat may be in the form of permanent on-site or off-site creation, restoration, enhancement, or preservation of habitat. At a minimum, the restoration or compensation sites shall meet the following performance standards by the fifth year after restoration or as otherwise required by resource agency permits: (1) Temporarily affected areas are returned to pre-project conditions or better. (2) Native vegetation cover shall be at least 70 percent of the baseline native vegetation cover in the impact area. (3) No more cover by invasive species shall be present than in the baseline/impact area. Restoration or compensation shall be detailed in a Riparian Habitat Mitigation and Monitoring Plan, which shall be developed before the start of construction and in	LTSM

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		coordination with permit applications and/or conditions from applicable regulatory agencies. At a minimum, the plan shall include: (1) Name and contact information for the property owner of the land on which the mitigation will take place; (2) Identification of the water source for supplemental irrigation, if needed; (3) Identification of depth to groundwater; (4) Topsoil salvage and storage methods for areas that support special-status plants; (5) Site preparation guidelines to prepare for planting, including coarse and fine grading; (6) Plant material procurement, including assessment of the risk of introduction of plant pathogens through the use of nursery-grown container stock vs. collection and propagation of site-specific plant materials, or use of seeds; (7) A planting plan outlining species selection, planting locations, and spacing for each vegetation type to be restored; (8) Planting methods, including containers, hydroseed or hydromulch, weed barriers, and cages, as needed; (9) Soil amendment recommendations, if needed; (10) An irrigation plan, with proposed rates (in gallons per minute), schedule (i.e., recurrence interval), and seasonal guidelines for watering; (11) A site protection plan to prevent unauthorized access, accidental damage, and vandalism; (12) Weeding and other vegetation maintenance tasks and schedule, with specific thresholds for acceptance of invasive species; (13) Performance standards, as referenced above, by which successful completion of mitigation can be assessed relative to a relevant baseline or reference site, and by which remedial actions will be triggered; (14) Success criteria that shall include the minimum performance standards described in Mitigation Measure BI-2a, Avoidance of Impacts on Riparian Habitat, and Mitigation Measure BI-2d, Avoidance and Protection of Creeping Wild Rye Habitat; (15) Monitoring methods and schedule; (16) Reporting requirements and schedule; (17) Adaptive management and corrective actions to achieve the established success criteria; and (18) An educational outreach program to inform operations and maintenance departments of local land management and utility agencies of the mitigation purpose of restored areas to prevent accidental damages.	

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		The Riparian Habitat Mitigation and Monitoring Plan shall be developed before the start of construction and in coordination with permit applications and/or conditions from applicable regulatory oversight agencies. The plan shall be submitted to the Director of Planning, Building and Code Enforcement, or the Director's designee, prior to the issuance of any demolition, grading, or building permit that would include construction activities that would have direct impacts on riparian habitat. **Mitigation Measure BI-2b: Frac-Out Contingency Plan** If jack-and-bore construction is implemented, the project applicant shall require the contractor to retain a licensed geotechnical engineer to develop a Frac-out Contingency Plan. The project applicant shall submit the contingency plan to the appropriate resource agencies (e.g., the California Department of Fish and Wildlife [CDFW], Regional Water Quality Control Board, U.S. Army Corps of Engineers [USACE], U.S. Fish and Wildlife Service [USFWS], and National Marine Fisheries Service [NMFS]) for review and approval prior to the start of construction of any pipeline that requires jack-and-bore construction to avoid surface waters. The regulatory agency–approved Frac-Out Contingency Plan shall also be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee. The Frac-out Contingency Plan shall be implemented where jack-and-bore construction under a waterway will occur to avoid, minimize, or mitigate potential project impacts during jack-and-bore construction, as specified in the contingency plan. The Frac-out Contingency Plan shall include, at a minimum: (1) Measures describing training of construction personnel about monitoring procedures, equipment, materials, and procedures in place for the prevention, containment, cleanup (creating a containment area and using a pump, using a vacuum truck, etc.), and disposal of released bentonite slurry, and agency notification protocols; (2) Methods for preventing frac-out, including maintaining pressure in the borehole to avoid exceeding the strength of the overlying soil; (3) Methods for detecting an accidental release of bentonite slurry that include: (a) Monitoring by a minimum of one qualified biological monitor throughout drilling operations to ensure swift response if a frac-out occurs; (b) Continuous monitoring of drilling pressures to ensure they do not exceed those needed to penetrate the formation; (c) Continuous monitoring of slurry returns at the exit and entry pits to determine if slurry circulation has been lost; and (d) Continuous monitoring by spotters to follow the progress of the drill bit during the pilot hole operation, and reaming and pull back operations;	

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		(4) Protocols that the contractor would follow if there is a loss of circulation or other indicator of a release of slurry; and (5) Cleanup and disposal procedures and equipment the contractor would use if a frac-out occurs. If a frac-out occurs, the contractor shall immediately halt work and implement the measures outlined in the Frac-out Contingency Plan to contain, clean up, and dispose of the bentonite slurry. The project applicant and/or contractor shall also notify and coordinate with appropriate regulatory agencies, as required by the Frac-Out Contingency Plan (e.g., CDFW, the Regional Water Quality Control Board, USACE, USFWS, and NMFS) before jack-and-bore activities can begin again. **Mitigation Measure BI-2c: Monitor Effects of Shading and Heat Island on Riparian Vegetation and Stream Temperature** To evaluate the effects of building shading on riparian vegetation and water temperature in Los Gatos Creek, the project applicant shall implement an annual monitoring program that includes a baseline assessment and continues annually for 15 years following construction. Two or more unshaded reference sites shall be included for comparison to shaded areas to account for vegetation effects that are unrelated to the project, such as from drought. The following performance standards shall be used to evaluate vegetation and water temperature changes over time, and determine whether project-related shading is negatively affecting the riparian corridor, or whether the increased urban footprint is negatively affecting water temperatures in Los Gatos Creek. **Aquatic monitoring.** The project applicant shall use the following methodology to study water temperature in Los Gatos Creek during the 15-year monitoring period. Prior to project construction, water and ambient air temperature loggers shall be installed at three locations within and adjacent to the project site. One logger shall be installed in upstream Los Gatos Creek, one within the affected reach adjacent to building construction, and one downstream of the project site. Care shall be taken to ensure that each of these temperature loggers is installed in similar habitat types (e.g., pool, riffle, run) within similar habitat conditions (e.g., amount of cover, depth, flow rate). Loggers at these three locations shall record hourly water temperature values before, during, and after project construction. If the difference in water temperature between the upstream and downstream monitoring locations increases substantially over time, particularly above the threshold of concern (71.6 degrees Fahrenheit), then additional adaptive actions shall be implemented (e.g., riparian planting, increase in urban tree canopy, treatment of runoff) to compensate for any increase in stream temperature. All actions shall be consistent with the approved Habitat Enhancement Plan, described below.	

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		Riparian monitoring. At a minimum, riparian vegetation shaded by project buildings shall meet the following performance standards by the 15th year of post-project monitoring: (1) The loss of absolute cover of riparian canopy and understory cover relative to baseline conditions is less than or equal to 15 percent. (If the loss of cover exceeds this criterion, then the change shall be compared with changes measured in the reference site[s] to determine whether on-site shading is the causal factor as opposed to other external regional factors such as climate change, drought, and alterations to reservoir releases.) (2) There is no more than a 5 percent reduction in native species relative to non-native species for tree and woody shrub species, measured both as species richness and relative cover. The following approach shall be used to monitor vegetation conditions during the 15-year period: (1) Prior to the start of building construction within 100 feet of the riparian corridor, the project applicant shall prepare a 15-Year Riparian Vegetation Monitoring Plan to assess the change in riparian vegetation canopy and understory cover in the Los Gatos Creek riparian corridor within 100 feet of the project. The Riparian Vegetation Monitoring Plan shall describe quantitative methods for measuring the canopy and understory vegetation cover of baseline on-site and reference site riparian habitat and changes in the extent and species composition of riparian vegetation canopy following the completion of building construction within 100 feet of the riparian corridor. This plan shall assess the impacts of shading by project buildings on the riparian vegetation. Reference sites shall be chosen that have comparable canopy coverage, species composition, hydrology, topography, and scale from locations on Los Gatos Creek or the Guadalupe River as close to the project site as possible. The Riparian Vegetation Monitoring Plan shall be submitted to the appropriate regulatory agencies (e.g., the California Department of Fish and Wildlife [CDFW]) for review and subsequently to the Director of Planning, Building and Code Enforcement or the Director's designee. The Riparian Vegetation Monitoring Plan shall include, at a minimum, the following elements: (a) Methods for monitoring and measuring composition (i.e., species), cover, and extent of existing riparian vegetation, which may include: (1) Tree canopy and wood understory cover plots or transects; and (2) Percent cover of non-native invasive species. In addition, monitoring shall include qualitative indicators of riparian vegetation health such as photomonitoring and signs of early decline (e.g., yellowing of leaves, small leaves, poor growth) to allow for early indications that riparian canopy cover and understory vegetation is in decline. Monitoring will also	

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		include natural recruitment/succession of native riparian vegetation, by recording observations of seedling and sapling tree species, and tracking their persistence and growth each year. (b) Pre-project conditions shall be assessed during the late summer before the start of each construction phase that includes construction within 100 feet of the riparian corridor. Post-project monitoring shall be conducted in years 1–15 following the conclusion of each construction phase that includes construction within 100 feet of the riparian corridor. Surveys shall be conducted during the late summer to capture riparian species during their maximum growth. (c) The project applicant shall prepare and submit to the Director of Planning, Building and Code Enforcement, or the Director's designee, an annual report documenting the monitoring of riparian habitat and any associated habitat enhancement activities. The first-year report shall consist of baseline on-site and reference site monitoring and a plan for habitat enhancement. Reports shall be submitted by December 30 of each monitoring year. (2) A failure to meet the performance standards defined above in year 5, 10, or 15 shall trigger implementation of the following habitat enhancement measures as mitigation for loss of existing riparian habitat: (a) Repeat the monitoring the following year (e.g., if performance criteria are not met in year 5, repeat monitoring in year 6). If in the following year (e.g., year 6), performance criteria are not met (i.e., for 2 years in a row), implement step (b), below. (b) The project applicant shall develop a Habitat Enhancement Plan to be reviewed and approved by appropriate regulatory agencies (e.g., National Marine Fisheries Service), and submitted to the Director of Planning, Building and Code Enforcement, or the Director's designee. The plan shall consist of a planting palette composed primarily of shade-tolerant riparian vegetation such as white alder (*Alnus rhombifolia*), bigleaf maple (*Acer macrophyllum*), box elder (*Acer negundo*), Oregon ash (*Fraxinus latifolia*), California buckeye (*Aesculus californica*), and other locally appropriate native species, as well as an invasive vegetation control plan (if appropriate based on monitoring findings). (c) The area of plantings needed to offset losses of existing riparian vegetation shall be defined in the Habitat Enhancement Plan based on the documented difference in percent absolute cover of riparian vegetation between the baseline conditions and the percent absolute cover averaged over each year of annual monitoring to date. (d) Mitigation gains in woody riparian vegetation shall be deemed successful when there is an 80 percent survival rate of plantings after 5 years of	

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		additional monitoring, and no increase in percent cover of invasive plant species in restored areas. (e) If these criteria are not met, adaptive management and corrective actions shall be implemented to achieve the established success criteria, in coordination with the applicable regulatory agencies. These may include additional plantings, weeding, or provision of supplemental water. Monitoring within the corrective action area shall continue for up to 10 additional years, until the criteria are met, or as otherwise required by the applicable regulatory agencies. (f) The project applicant shall prepare and submit an annual report to the Director of Planning, Building and Code Enforcement, or the Director's designee, documenting the annual monitoring of habitat enhancement activities to document that this performance standard has been satisfied. **Mitigation Measure BI-2d: Avoidance and Protection of Creeping Wild Rye Habitat** Prior to the start of construction within 20 feet of retained areas of creeping wild rye, the project applicant shall ensure that all areas that contain or potentially contain creeping wild rye are clearly delineated, separated, and protected from the work area by environmentally sensitive area fencing, which shall be maintained throughout the construction period. A qualified biologist shall oversee the delineation and installation of fencing. Excavation, vehicular traffic, staging of materials, and all other project-related activity shall be located outside of the environmentally sensitive area. If creeping wild rye cannot be avoided, any temporarily affected areas shall be restored to pre-construction conditions or better at the end of construction that occurs within 20 feet of the retained area of creeping wild rye. At a minimum, the restoration sites shall meet the following performance standards by the fifth year after restoration: (1) Temporarily affected areas shall be returned to pre-project conditions or better. (2) Native vegetation cover shall be at least 70 percent of the baseline native vegetation cover in the impact area. (3) No more cover by invasive species shall be present than in the baseline/impact area. Restoration shall be detailed in a habitat mitigation and monitoring plan, which shall be developed before the start of construction and in coordination with permit applications and/or conditions. At a minimum, the plan shall include: (1) Name and contact information for the property owner of the land on which the mitigation will take place; (2) Identification of the water source for supplemental irrigation, if needed; (3) Identification of depth to groundwater;	

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		(4) Topsoil salvage and storage methods for areas that support special-status plants; (5) Site preparation guidelines to prepare for planting, including coarse and fine grading; (6) Plant material procurement, including assessment of the risk of introduction of plant pathogens through the use of nursery-grown container stock vs. collection and propagation of site-specific plant materials, or use of seeds; (7) A planting plan outlining species selection, planting locations, and spacing for each vegetation type to be restored; (8) Planting methods, including containers, hydroseed or hydromulch, weed barriers, and cages, as needed; (9) Soil amendment recommendations, if needed; (10) An irrigation plan, with proposed rates (in gallons per minute), schedule (i.e., recurrence interval), and seasonal guidelines for watering; (11) A site protection plan to prevent unauthorized access, accidental damage, and vandalism; (12) Weeding and other vegetation maintenance tasks and schedule, with specific thresholds for acceptance of invasive species; (13) Performance standards by which successful completion of mitigation can be assessed relative to a relevant baseline or reference site, and by which remedial actions will be triggered; (14) Success criteria that shall include the minimum performance standards described in Mitigation Measure BI-2a, Avoidance of Impacts on Riparian Habitat, and Mitigation Measure BI-2d, Avoidance and Protection of Creeping Wild Rye Habitat; (15) Monitoring methods and schedule; (16) Reporting requirements and schedule; (17) Adaptive management and corrective actions to achieve the established success criteria; and (18) An educational outreach program to inform operations and maintenance departments of local land management and utility agencies of the mitigation purpose of restored areas to prevent accidental damages. The Habitat Mitigation and Monitoring Plan and all field documentation, prepared in coordination with the appropriate regulatory agencies, shall be submitted to the Director of the City of Planning, Building and Code Enforcement or the Director's designee for review and approval prior to the issuance of any demolition, grading, or building permit for construction that would occur within 20 feet of creeping wild rye habitat.	

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Impact BI-3: The proposed project could have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	S	**Mitigation Measures BI-1a**, **BI-2a**, and **BI-2d** **Mitigation Measure BI-3: Avoidance of Impacts on Wetlands and Waters** The project applicant for the specific construction activity to be undertaken and its contractors shall minimize impacts on waters of the United States and waters of the state, including wetlands, by implementing the following measures: • A preliminary jurisdictional delineation of wetlands shall be prepared to determine the extent of waters of the United States and/or waters of the state within the project component footprints and anticipated construction disturbance areas. The results shall be summarized in a wetland delineation report to be submitted to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval before the issuance of any demolition, grading, or building permit for construction activity within the riparian corridor. Wetlands identified in the report shall be avoided through project design, if feasible. All identified avoidance and protection measures shall be included on the plans for proposed demolition, grading, and/or building permits for construction activities within the riparian corridor. • The proposed project shall be designed to avoid, to the extent practical, work within wetlands and/or waters under the jurisdiction of U.S. Army Corps of Engineers (USACE), the San Francisco Bay Regional Water Quality Control Board, and/or the California Department of Fish and Wildlife (CDFW). If applicable, permits or approvals shall be sought from the above agencies, as required. Where wetlands or other water features must be disturbed, the minimum area of disturbance necessary for construction shall be identified and the area outside avoided. • Before the start of construction within 50 feet of any wetlands and drainages, appropriate measures shall be taken to ensure protection of the wetland from construction runoff or direct impact from equipment or materials, such as the installation of a silt fence, and signs indicating the required avoidance shall be installed. No equipment mobilization, grading, clearing, or storage of equipment or machinery, or similar activity, shall occur until a qualified biologist has inspected and approved the fencing installed around these features. The construction contractor for the specific construction activity to be undertaken shall ensure that the temporary fencing is maintained until construction activities are complete. No construction activities, including equipment movement, storage of materials, or temporary spoils stockpiling, shall be allowed within the fenced areas protecting wetlands. • Where disturbance to jurisdictional wetlands or waters cannot be avoided, any temporarily affected jurisdictional wetlands or waters shall be restored to pre-construction conditions or better at the end of construction, in accordance with the requirements of USACE, San Francisco Bay Regional Water Quality Control Board, and/or CDFW permits. Compensation for permanent impacts on wetlands	LTSM

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		or waters shall be provided at a 1:1 ratio, or as agreed upon by CDFW, USACE, and the San Francisco Bay Regional Water Quality Control Board, as applicable. Compensation for loss of wetlands may be in the form of permanent on-site or off-site creation, restoration, enhancement, or preservation of habitat. At a minimum, the restoration or compensation sites shall meet the following performance standards by the fifth year after restoration: (1) Temporarily affected areas shall be returned to pre-project conditions or better. (2) Wetlands restored or constructed as federal wetlands meet the applicable federal criteria for jurisdictional wetlands, and wetlands restored or constructed as state wetlands meet the state criteria for jurisdictional wetlands. (3) No more cover by invasive species shall be present than in the baseline/impact area pre-project. Restoration and compensatory mitigation activities shall be described in the habitat mitigation and monitoring plan prescribed by Mitigation Measure BI-2a, Avoidance of Impacts on Riparian Habitat.	
Impact BI-4: The proposed project could interfere substantially with the movement of a native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	S	**Mitigation Measure BI-4: Avian Collision Avoidance Measures** In addition to conforming to the bird safety standards and guidelines in the City's Downtown Design Guidelines, and the General Plan, the following mitigation measures shall be implemented: *Educating Residents and Occupants.* Prior to issuance of any building permits, the project applicant shall develop educational materials for building tenants, occupants, and residents, encouraging them to minimize light transmission from windows, especially during peak spring and fall migratory periods, by turning off unnecessary lights and/or closing window coverings at night. The Director of Planning, Building and Code Enforcement or the Director's designee shall review and approve the educational materials before buildings are occupied. The project applicant shall also supply documentation (e.g., written statement) describing when and how the materials will be distributed (e.g., poster in building lobby, attachment to lease, new-tenant welcome packet). Documentation shall be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee. *Antennae, Monopole Structures, and Rooftop Elements.* Prior to issuance of any building permits, the project applicant shall provide documentation (e.g., construction drawings) that buildings minimize the number of and co-locate rooftop antennas and other rooftop equipment, and that monopole structures or antennas on buildings do not include guy wires. The documentation shall be reviewed and approved by a wildlife biologist before issuance of the site development permit for the project component (e.g., building) that poses a collision risk for birds. Documentation shall be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee.	LTSM

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Impact BI-5: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	LTS	None required	LTS
Impact BI-6: The proposed project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.	S	**Mitigation Measures BI-1a, BI-1b, BI-1c, and BI-2a**	LTSM
Impact C-BI-1: The proposed project, in conjunction with other past, current, or foreseeable development in the project vicinity, could result in cumulative impacts on biological resources.	S	**Mitigation Measures BI-1a through BI-1f**, **BI-2a through BI-2d**, **BI-3**, **BI-4, HY-3b, and NO-1a**	LTSM
3.3 Cultural Resources and Tribal Cultural Resources			
Impact CU-1: The proposed project would demolish historic architectural resources, resulting in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.	S	**Mitigation Measure CU-1a: Documentation** Before the issuance of a demolition and/or relocation permit and under the direction of the Director of Planning, Building and Code Enforcement or the Director's designee, the project applicant shall prepare documentation of all historic architectural resources under CEQA subject to demolition and/or relocation. This includes **343 North Montgomery Street; 345 North Montgomery Street; 559, 563, and 567 West Julian Street; 145 South Montgomery Street; and 580 Lorraine Avenue**. Each resource shall be photo-documented to an archival level utilizing 35 mm photography and consisting of selected black-and-white views of the building to the following standards: • *Cover sheet*—A cover sheet identifying the photographer, providing the address of the building, common or historic name of the building, date of construction, date of photographs, and photograph descriptions. • *Camera*—A 35mm camera. • *Lenses*—No soft-focus lenses. Lenses may include normal focal length, wide angle, and telephoto. • *Filters*—Photographer's choice. Use of a pola screen is encouraged. • *Film*—Black-and-white film only; tri-X, Plus-X, or T-Max film is recommended.	SU

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		• *View*—Perspective view–front and other elevations. All photographs shall be composed to give primary consideration to the architectural and/or engineering features of the structure, with aesthetic considerations necessary but secondary. • *Lighting*—Sunlight usually preferred for exteriors, especially of the front façade. Light overcast days, however, may provide more satisfactory lighting for some structures. A flash may be needed to cast light into porch areas or overhangs. • *Technical*—Sharp focus required for all areas of the photograph. The project applicant shall coordinate the submission of the photo-documentation, including the original prints and negatives, to History San José. Digital photos may be provided as a supplement to the above photo-documentation, but not in place of it. Digital photography shall be recorded on a CD and shall be submitted with the above documentation. The above shall be accompanied by a transmittal stating that the documentation is submitted as a Standard Measure to address the loss of the historic resource, which shall be named and the address stated, with a copy provided to the Director of Planning, Building and Code Enforcement or the Director's designee. **Mitigation Measure CU-1b: Relocation** In accordance with General Plan Policy LU-13.2, and consistent with the DSAP Final EIR's *Measures Included in the Project to Reduce and Avoid Impacts to Historic Resources,* relocation of a historic architectural resource shall be considered as an alternative to demolition. After implementation of Mitigation Measure CU-1a, Documentation, and prior to issuance of any permit that would allow demolition of a historic architectural resource, the project applicant shall take the following actions to facilitate historic architectural resource relocation. This applies to **343 North Montgomery Street (partial); 345 North Montgomery Street; 559, 563, and 567 West Julian Street; and 145 South Montgomery Street (partial)**:[5] (1) **Relocation Outreach.** The project applicant shall advertise the availability for relocation of historic architectural resources subject to Mitigation Measure CU-1b, Relocation. A dollar amount equal to the estimated cost of demolition, as certified by a licensed contractor, and any associated Planning Permit fees for relocation shall be offered to the recipient of the building who is willing to undertake relocation and rehabilitation after relocation. Advertisement and outreach to identify an interested third party shall continue for no less than 60 days. The advertisements shall include notification in at least one newspaper of general circulation and on online platforms as appropriate, including at a minimum the *San Jose Mercury News* (print and online), and the City of San José Department of	

5 Garden City Construction, "Downtown West Mixed Use Plan – Historic Resource Move Feasibility," memo, prepared for Google/Lendlease, June 29, 2020.

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		Planning, Building and Code Enforcement's Environmental Review website. Noticing shall be compliant with City Council Policy 6-30: Public Outreach Policy and shall include posting of a notice, on each building proposed for demolition, that is no smaller than 48 x 72 inches and is visible from the public right-of-way.[6] Satisfaction of the notification provisions shall be subject to review by the Director of Planning, Building and Code Enforcement or the Director's designee following completion of the minimum 60-day public outreach period, before the issuance of demolition permits. (2) **Relocation Implementation Plan(s).** If, before the end of the outreach period, an interested third party (or parties) expresses interest in relocating and rehabilitating one or more of the resources to a suitable site under their ownership or control, they shall be allowed a period of up to 60 days to prepare and submit a Relocation Implementation Plan, and an additional 120 days to complete removal of the resources from the project site. The Relocation Implementation Plan(s) shall be prepared in consultation with historic preservation professionals who meet or exceed the *Secretary of the Interior's Professional Qualification Standards*. The plan(s) shall be based on the findings of the *Downtown West Mixed-Use Plan—Historic Resource Move Feasibility* memo and *Site Selection Criteria for Relocation of Identified Historic Resources* memo (EIR Appendix E3) or subsequent relocation feasibility documentation, to support relocation of the historic resource to a site outside of the project site and acceptable to the City.[7] The Relocation Implementation Plan for each resource shall include: • A description of the intended relocation receiver site and an analysis of its compatibility with the unique character, historical context, and prior physical environment of the resource; • A description and set of working drawings detailing methods and means of securing and bracing the building through all stages of relocation; • A site plan for the receiver site demonstrating compliance with all setback and zoning requirements; • A travel route survey that records the width of streets, street lamp and signal arm heights, heights of overhead utilities that may require lifting or temporary removal, and other details necessary for coordinating the relocation; • A scope of work for building rehabilitation following completion of relocation, and anticipated timing to initiate and complete such rehabilitation; and	

6 Current noticing protocols for On-Site Noticing/Posting Requirements for Large Development Proposals can be found at https://www.sanjoseca.gov/home/showdocument?id=15573.

7 Garden City Construction, "Downtown West Mixed Use Plan – Historic Resource Move Feasibility," memo, prepared for Google/Lendlease, June 29, 2020; Architectural Resources Group, Site Selection Criteria for Relocation of Identified Historic Resources, memo, prepared for Google/Lendlease, August 7, 2020.

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		• Roles and responsibilities between the interested party, project applicant, City staff, and outside individuals, groups, firms, and/or consultants as necessary. Once the Relocation Implementation Plan(s) have been reviewed and approved by the Director of Planning, Building and Code Enforcement or the Director's designee, implementation of the approved relocation shall occur within 120 days. (3) **Rehabilitation after Relocation.** After relocation of the resource(s) and pursuant to General Plan Policy LU-13.6 and CEQA Section 15064.5(3), parties responsible for relocation shall also be responsible for rehabilitation of the building(s) on their new site(s) as specified in the Relocation Implementation Plan. Resource(s) shall be secured on a foundation and repaired to ensure that each resource remains in good condition and is usable for its intended purpose, and that all modifications are sensitive to those elements that convey the resource's historical significance. All repairs and modifications shall be consistent with the *Secretary of the Interior's Standards and Guidelines for Rehabilitation* and related permits shall be subject to review by the Director of Planning, Building and Code Enforcement or the Director's designee. **Mitigation Measure CU-1c: Interpretation/Commemoration** As part of the Downtown West Design Standards and Guidelines conformance review for each new building on the site of one or more demolished resources, the project applicant, in consultation with a qualified architectural historian and design professional, and under the direction of the Director of Planning, Building and Code Enforcement or the Director's designee, shall develop an interpretive program that may include one or more interpretive displays, artworks, electronic media, smartphone apps, and other means of presenting information regarding the site's history and development. The program shall concentrate on those contextual elements that are specific to the resources that have been demolished. Display panels, if included in the interpretive program, shall be placed at, or as near as possible to, the location where the resource was historically located. The interpretive program shall be approved prior to the issuance of demolition permit(s) for the historical resource(s) to be demolished and shall be fully implemented and/or installed before the issuance of a certificate of occupancy for the applicable new building(s). **Mitigation Measure CU-1d: Salvage** Before the demolition of any historic resource on the site that is not relocated, the subject building shall be made available for salvage to companies or individuals facilitating reuse of historic building materials, including local preservation organizations. Noticing for salvage opportunities shall include notification in at least one newspaper of general circulation and online platforms as appropriate, including at a minimum the *San Jose Mercury News* (print and online) and the City of San José Department of Planning, Building and Code Enforcement's Environmental Review	

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		website. Noticing shall be compliant with City Council Policy 6-30: Public Outreach Policy and shall include a notice, on each building proposed for demolition, that is no smaller than 48 x 72 inches and is visible from the public right-of-way.[8] The time frame for materials salvage shall be 30 days of noticing after the initial 60 days noticing for relocation.	
Impact CU-2: The proposed project would relocate, construct an addition to, and adaptively reuse the historic portions of 40 South Montgomery Street (Kearney Pattern Works and Foundry). This could result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.	S	**Mitigation Measure CU-2a: Relocation On-site** Before the issuance of any permit that would allow disturbance of the historic resource at 40 South Montgomery Street, the project applicant shall prepare a Relocation Implementation Plan that includes a detailed description of the proposed relocation methodology. At a minimum, this plan shall include detailed descriptions and drawings that indicate: • The means and methods of securing and bracing the building through all stages of relocation; • The proposed locations of cuts to facilitate relocation, with sections that are as large as feasible to limit damage to the historic fabric; • Proposed siting and foundation details; and • The approximate timetable for the completion of work, including major milestones. All work shall be undertaken in consultation with an architect or professional who meets the *Secretary of the Interior's Historic Preservation Professional Qualifications Standards*. The Relocation Implementation Plan shall be subject to review and approval by the Director of Planning, Building and Code Enforcement or the Director's designee. **Mitigation Measure CU-2b: Compliance with the Secretary of the Interior's Standards** Before the issuance of any permit to move or modify or expand the building at 40 South Montgomery Street, the project applicant shall submit detailed designs prepared by a qualified historic preservation architect demonstrating that all proposed relocation methodologies, including satisfaction of the provisions of Mitigation Measure CU-2a, Relocation On-site, repairs, modifications, and additions, are consistent with the Standards for Rehabilitation. The submitted designs shall be subject to review and approval by the Director of Planning, Building and Code Enforcement or the Director's designee.	LTSM

[8] Current noticing protocols for On-Site Noticing/Posting Requirements for Large Development Proposals can be found at https://www.sanjoseca.gov/home/showdocument?id=15573.

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Impact CU-3: The proposed project would construct one or more additions to and adaptively reuse 150 South Montgomery Street (Hellwig Ironworks). The proposed additions and modifications would result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.	S	**Mitigation Measure CU-1a, Documentation** **Mitigation Measure CU-1c, Interpretation/Commemoration**	SU
Impact CU-4: The proposed project could result in significant impacts on historical resources resulting from construction-related vibrations.	S	**Mitigation Measure NO-2a** (refer to Section 3.10, *Noise and Vibration*) **Mitigation Measure CU-4: Construction Vibration Operation Plan for Historic Structures** As presented in General Plan Policy EC-3.2, building damage for sensitive historic structures is generally experienced when vibration levels exceed 0.08 in/sec PPV. Section 3.10, Table 3.10-13, *Vibration Levels for Construction Activity*, lists a number of construction activities with their estimated PPVs at various distances. At distances up to 170 feet, vibration levels can approach the 0.08 PPV recommended threshold. Therefore, before the issuance of any demolition, grading, or building permit (whichever comes first) for work within 170 feet of a historic resource, the project applicant shall submit a Construction Vibration Operation Plan prepared by an acoustical and/or structural engineer or other appropriate qualified professional to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval. The Construction Vibration Operation Plan shall establish pre-construction baseline conditions and threshold levels of vibration that could damage the historic structures located within 170 feet of construction, regardless of whether the historic structures are located on the project site or adjacent to it. The plan shall also include measures to limit operation of vibration-generating construction equipment near sensitive structures to the greatest extent feasible. In addition, the Construction Vibration Operation Plan shall address the feasibility and potential implementation of the following measures during construction: • Prohibit impact, sonic, or vibratory pile driving methods where feasible. Drilled piles cause lower vibration levels where geological conditions permit their use. • Limit other vibration-inducing equipment to the extent feasible. • Submit a list of all heavy construction equipment to be used for this project known to produce high vibration levels (e.g., tracked vehicles, vibratory compaction, jackhammers, hoe rams) to the Director of the City of San José Department of	LTSM

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		Planning, Building and Code Enforcement or the Director's designee. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring. • Where vibration-inducing equipment is deemed necessary for construction work within 170 feet of a historic resource, include details outlining implementation of continued vibration monitoring. All construction contracts and approved plans shall include notes with reviewer-identified limitations and diagrams to avoid impacts on historic resources.	
Impact CU-5: The proposed project would not result in significant impacts on 374 West Santa Clara Street (San Jose Water Works) or the Southern Pacific Depot Historic District from modifications to the City Landmark designation boundaries.	LTS	None required	LTS
Impact CU-6: The proposed project would not result in significant impacts on 374 West Santa Clara Street (San Jose Water Works), 65 Cahill Street (the Southern Pacific Depot Historic District), the 19th century residences between North Montgomery and North Autumn Streets (160 North Montgomery Street and 195, 199, and 203 North Autumn Street), 237 North Autumn Street (Dennis Residence), 40 South Montgomery Street (Kearney Pattern Works and Foundry), and/or contributors to the Lakehouse Historic District including the individual historic architectural resources under CEQA of 396, 398, 416, and 454 West San Fernando Street and 124 Delmas Avenue from increased density of surrounding development, changes in adjacent land use, or changes in circulation patterns.	LTS	None required	LTS

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Impact CU-7: The proposed project could result in significant impacts at 105 South Montgomery Street (Stephen's Meat Projects sign), a historic resource, as a result of its removal, storage, and relocation within the project site.	S	**Mitigation Measure CU-7: Sign Relocation** Before the issuance of the first permit for site preparation or construction on the site within 100 feet of the Stephen's Meat Product sign, the project applicant, in consultation with a qualified historic preservation professional, shall remove the sign from the site. If the sign is not immediately relocated to a receiver site, it shall be placed in secure storage. Storage shall be indoors, or otherwise protected from weather, impacts, and vandalism. The location of the storage facility shall be communicated to the Director of Planning, Building and Code Enforcement or the Director's designee. During design development, a receiver site shall be identified on the project site with the following characteristics: • The site shall be similar to the existing location along a public right-of-way. • The sign shall be placed upon a single support pole of similar dimension. • Views of the sign shall be permitted from a minimum of 150 feet along both directions of the public right-of-way. • The sign shall be repaired, as needed, to return it to its current functional state. • Interpretive signage indicating the sign's age, association, and original location shall be located at the base of the structural support. The selected site shall be subject to approval by the Director of Planning, Building and Code Enforcement, or the Director's designee. Relocation of the sign shall be completed within no more than five years from the date of its removal, with the potential for an extension not to exceed an additional five years upon approval by the Director of Planning, Building and Code Enforcement or the Director's designee.	LTSM
Impact CU-8: The proposed project could cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5.	S	**Mitigation Measure CU-8a: Cultural Resources Awareness Training** Before any ground-disturbing and/or construction activities, a Secretary of the Interior–qualified archaeologist shall conduct a training program for all construction and field personnel involved in site disturbance. On-site personnel shall attend a mandatory pre-project training that will outline the general archaeological sensitivity of the area and the procedures to follow in the event an archaeological resource and/or human remains are inadvertently discovered. A training program shall be established for new project personnel before project work. **Mitigation Measure CU-8b: Archaeological Testing Plan** Before the issuance of any demolition or grading permits (whichever comes first) for each of the three construction phases, the project applicant shall be required to complete subsurface testing to determine the extent of possible cultural resources on-site. Subsurface testing shall be completed by a qualified archaeologist based on an	LTSM

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Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		approved Archaeological Testing Plan prepared and submitted to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval. The Testing Plan shall include, at a minimum: • Identification of the property types of the expected archaeological resource(s) that could be affected by construction; • The testing method to be used (hand excavation, coring, and/or mechanical trenching); • The locations recommended for testing; and • A written report of the findings. The purpose of the archaeological testing program shall be to determine the presence or absence of archaeological resources to the extent possible and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. **Mitigation Measure CU-8c: Archaeological Evaluation** The project applicant shall ensure that all prehistoric and historic-era materials and features identified during testing are evaluated by a qualified archaeologist based on California Register of Historical Resources criteria and consistent with the approved Archaeological Testing Plan. Based on the findings of the subsurface testing, a qualified archaeologist shall prepare an Archaeological Resources Treatment Plan addressing archaeological resources, in accordance with Mitigation Measure CU-8d, Archaeological Resources Treatment Plan. **Mitigation Measure CU-8d: Archaeological Resources Treatment Plan** The project applicant shall submit the Archaeological Resources Treatment Plan to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval before the issuance of any demolition and grading permits. The treatment plan shall contain the following elements, at a minimum: • Identification of the scope of work and range of subsurface effects (with a location map and development plan), including requirements for preliminary field investigations; • Development of research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information); • Detailed field strategy used to record, recover, or avoid the finds and address research goals; • Analytical methods;	

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		• Report structure and outline of document contents; • Disposition of the artifacts; and • Appendices: Site records, correspondence, and consultation with Native Americans and other interested parties. The project applicant shall implement the approved Archaeological Treatment Plan before the issuance of any demolition or grading permits. After completion of the fieldwork, all artifacts shall be cataloged in accordance with 36 CFR Part 79, and the State of California's *Guidelines for the Curation of Archeological Collections*. The qualified archaeologist shall complete and submit the appropriate forms documenting the findings with the Northwest Information Center of the California Historical Resources Information System at Sonoma State University.	
Impact CU-9: The proposed project would disturb human remains, including those interred outside of formal cemeteries.	S	**Mitigation Measure CU-8a**	LTSM
Impact CU-10: The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074.	S	**Mitigation Measures CU-8a through CU-8d**	LTSM
Impact C-CU-1: The proposed project would make a cumulatively considerable contribution to previously identified significant cumulative adverse impacts on Downtown historical resources as defined in CEQA Guidelines Section 15064.5.	S	**Mitigation Measures CU-1a through CU-1d**	SU
Impact C-CU-2: The proposed project would not make a cumulatively considerable contribution to previously identified significant impacts on the Southern Pacific Depot historic district.	LTS	None required	LTS

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Impact C-CU-3: The proposed project, in combination with past and foreseeable future projects, would not result in a cumulative adverse impact on 374 West Santa Clara Street (San Jose Water Works), a historic architectural resource as defined in CEQA Guidelines Section 15064.5.	LTS	None required	LTS
Impact C-CU-4: The proposed project would combine with other projects to result in significant cumulative effects on archaeological resources as defined in CEQA Guidelines Section 15064.5; human remains, including those interred outside of formal cemeteries; and tribal cultural resources as defined in Public Resources Code Section 21074.	S	**Mitigation Measures CU-8a through CU-8d**	LTSM
3.4 Energy			
Impact EN-1: The proposed project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	LTS	None required	LTS
Impact EN-2: The proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	LTS	None required	LTS
Impact C-EN-1: The proposed project would not result in a cumulatively considerable contribution to a significant energy impact.	LTS	None required	LTS

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3.5 Geology, Soils, and Paleontological Resources			
Impact GE-1: The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking; or seismic-related ground failure, including liquefaction.	S	**Mitigation Measure GE-1: Seismic Damage and Seismic-Related Ground Failure, including Liquefaction** Prior to the issuance of any grading or building permit for new building construction, the project applicant shall implement the following measures: • To avoid or minimize potential damage from seismic shaking, use standard engineering and seismic safety design techniques for project construction. Complete building design and construction at the site in conformance with the recommendations of an approved geotechnical investigation. The geotechnical investigation report shall be reviewed and approved by the Director of the City of San José Department of Public Works as part of the building permit review and entitlement 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 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. • Construct the project in accordance with standard engineering practices in the California Building Code, as adopted by the City of San José. Obtain a grading permit from the Department of Public Works prior to the issuance of a Public Works Clearance. These standard practices will ensure that future buildings on the site are designed to properly account for soils-related hazards.	LTSM
Impact GE-2: The proposed project would not result in substantial soil erosion or the loss of topsoil.	LTS	None required	LTS
Impact GE-3: The proposed project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	S	**Mitigation Measure GE-3: Geotechnical Report** Prior to or coincident with the submittal of grading and drainage plans for each proposed building or other improvements, the project applicant for the improvements in question shall submit to the City of San José Director of Public Works or his/her designee for review and approval, in accordance with the California Building Code, a geotechnical report for the site under consideration. The applicant for the improvements in question shall comply with the recommendations of the geotechnical report, as approved by the Director of Public Works or his/her designee.	LTSM

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Impact GE-4: The proposed project would not be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), that would create substantial direct or indirect risks to life or property.	LTS	None required	LTS
Impact GE-5: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	S	**Mitigation Measure GE-5a: Project Paleontologist** The project applicant for specific construction work proposed shall retain a qualified professional paleontologist (qualified paleontologist) meeting the Society of Vertebrate Paleontology standards as set forth in the "Definitions" section of Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010) prior to the approval of demolition or grading permits. The qualified paleontologist shall attend the project kickoff meeting and project progress meetings on a regular basis, shall report to the site in the event potential paleontological resources are encountered, and shall implement the duties outlined in Mitigation Measures GE-5b through GE-5d. Documentation of a paleontologist attending the project kickoff meeting and project progress meetings shall be submitted to the Director of the City of San José Department of Planning, Building, and Code Enforcement, or the Director's designee. **Mitigation Measure GE-5b: Worker Training** Prior to the start of any ground-disturbing activity (including vegetation removal, grading, etc.), the qualified paleontologist shall prepare paleontological resources sensitivity training materials for use during the project-wide Worker Environmental Awareness Training (or equivalent). The paleontological resources sensitivity training shall be conducted by a qualified environmental trainer (often the Lead Environmental Inspector or equivalent position, like the qualified paleontologist). In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found, as outlined in the approved Paleontological Resources Monitoring and Mitigation Plan in Mitigation Measure GE-5c. The project applicant for specific construction work proposed and/or its contractor shall retain documentation demonstrating that all construction personnel attended the training prior to the start of work on the site, and shall provide the documentation to the Director of the City of San José Department of Planning, Building, and Code Enforcement, or the Director's designee. **Mitigation Measure GE-5c: Paleontological Monitoring** The qualified paleontologist shall prepare, and the project applicant for specific construction work proposed and/or its contractors shall implement, a Paleontological	LTSM

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		Resources Monitoring and Mitigation Plan (PRMMP). The project applicant shall submit the plan to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, for review and approval at least 30 days prior to the start of construction. This plan shall address the specifics of monitoring and mitigation and comply with the recommendations of the Society of Vertebrate Paleontology (SVP) (2010), as follows. 1. The qualified paleontologist shall identify, and the project applicant or its contractor(s) shall retain, qualified paleontological resource monitors (qualified monitors) meeting the SVP standards (2010). 2. The qualified paleontologist and/or the qualified monitors under the direction of the qualified paleontologist shall conduct full-time paleontological resources monitoring for all ground-disturbing activities in previously undisturbed sediments in the project site that have high paleontological sensitivity. This includes any excavation that exceeds 2 feet in depth in previously undisturbed areas. The PRMMP shall clearly map these portions of the proposed project based on final design provided by the project applicant and/or its contractor(s). 3. If many pieces of heavy equipment are in use simultaneously but at diverse locations, each location shall be individually monitored. 4. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to evaluate and recover the fossil specimens, establishing a 50-foot buffer. 5. If construction or other project personnel discover any potential fossils during construction, regardless of the depth of work or location and regardless of whether the site is being monitored, work at the discovery location shall cease in a 50-foot radius of the discovery until the qualified paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. 6. The qualified paleontologist shall determine the significance of any fossils discovered, and shall determine the appropriate treatment for significant fossils in accordance with the SVP standards. The qualified paleontologist shall inform the project applicant of these determinations as soon as practicable. See Mitigation Measure GE-5d regarding significant fossil treatment. 7. Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries. The qualified paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort and any curation of fossils. The project applicant shall provide the daily logs to the Director of the City of San José Department of Planning, Building, and Code Enforcement, or the Director's designee, upon request, and shall provide the final report to the Director of the City of San José Department of Planning, Building, and Code Enforcement, or the Director's designee, upon completion.	

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		Mitigation Measure GE-5d: Significant Fossil Treatment If any find is deemed significant, as defined in the Society of Vertebrate Paleontology (SVP) (2010) standards and following the process outlined in Mitigation Measure GE-5c, the qualified paleontologist shall salvage and prepare the fossil for permanent curation with a certified repository with retrievable storage following the SVP standards, and plans for permanent curation shall be submitted to the Director of the City of San José Department of Planning, Building, and Code Enforcement, or the Director's designee.	
Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, could result in significant cumulative impacts related to geology, soils, or paleontology.	S	**Mitigation Measures GE-5a through GE-5d**	LTSM
3.6 Greenhouse Gas Emissions			
Impact GR-1: The proposed project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	LTS	None required	LTS
Impact GR-2: The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	S	**Mitigation Measures AQ-2a, AQ-2b, AQ-2c, AQ-2e, AQ-2f, AQ-2g, AQ-2h** (refer to Impact AQ-2a) **Mitigation Measure GR-2: Compliance with AB 900** Prior to the City's first design Conformance Review for the first new construction building or buildings, the project applicant shall submit a plan documenting the project's proposed GHG emissions reductions and schedule for compliance with AB 900 to the Director of Planning, Building and Code Enforcement or the Director's designee. The plan shall: • Quantify project construction for all phases and operational GHG emissions for the life of the project (defined as 30 years of operation); • Specify the project features and project-specific emission reduction strategies that shall be implemented during construction and operation of the project; and	LTSM

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		• Contain the schedule of GHG offset purchases required as part of the AB 900 certification process to comply with the "no net additional" requirement of Public Resources Code Section 21183(c). With funding from the project applicant, the City shall retain the services of a third-party expert who meets or exceeds the following level of experience and qualifications to assist with the City's annual review of the GHG plan: an expert GHG emissions verifier accredited by the ANSI National Accreditation Board (ANAB) Accreditation Program for Greenhouse Gas Validation/Verification Bodies or a Greenhouse Gas Emissions Lead Verifier accredited by CARB. **Emission Reductions:** At a minimum, project features and project-specific emission reduction strategies shall include the following measures. These measures reflect commitments by the applicant and specific mitigation measures incorporated to reduce air pollutant emissions as described in Section 3.1, *Air Quality*: 1. Achieve LEED ND Gold Certification and LEED Gold for all office buildings. 2. Implement a transportation demand management program to achieve a minimum non–single occupancy vehicle rate of 50 percent for office uses, assuming current transit service levels. The non–single occupancy vehicle rate shall increase to 60 percent for office uses following implementation of the Caltrain Business Plan and to 65 percent for office uses following the start of BART service. 3. Install EV charging equipment on 15 percent or more of all parking spaces at the project site. 4. Design and operate buildings with all-electric utilities (no on-site fossil fuels consumed to provide cooling, heating, cooking, water heating, etc.), with the exception of a total of 20,000 square feet of restaurant kitchens that may be equipped with natural gas for food preparation purposes. 5. Install and operate on-site a solar photovoltaic system generating at least 7.8 MW. 6. Use recycled water for all non-potable water demand. 7. Use electric off-road equipment for construction, including for all concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, pumps, pressure washers, and 50 percent of all cement and mortar mixers. Power portable equipment by grid electricity instead of diesel generators. 8. Meet or exceed all applicable building code requirements and standards, including the CALGreen and San José Reach Codes, and meet or exceed ASHRAE 2019 energy efficiency standards. **GHG Offset Credits:** The project applicant's plan shall describe the schedule for the purchase of GHG offset credits sufficient to offset the balance of the project's GHG emissions for the life of the project consistent with the CARB Determination dated December 19, 2019. As detailed in the CARB Determination, the project applicant's	

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purchases of GHG offsets shall coincide with the phases defined in the AB 900 analysis:

AB 900 Phasing	Total GHG Emissions ($MTCO_2e$)		
	Construction	Net Operational	Net Combined
Phase 1	54,663	494,359	549,022
Phase 2	55,431	523,451	578,882
Phase 3	47,153	438,704	485,857
Total	**157,247**	**1,456,514**	**1,613,761**

SOURCE: CARB Executive Order G-19-154, *Downtown Mixed Use Plan AB 900 Application and Supporting Documentation*, Attachment 2, p. 10, Table 2 (construction), and Attachment 1, pp. 11–12, Table 4.

As documented in the CARB Determination, the project applicant shall purchase GHG offset credits necessary to offset construction-generated emissions on a prorated basis before obtaining the first building permit in each phase of construction, for a total of three offset payments over three construction phases. The project applicant shall purchase GHG offset credits necessary to offset the cumulative net increase in operational emissions over the life of the project on a pro-rated basis before the City issues the final Certificate of Occupancy for the first building in each phase of construction, for a total of three offset payments over three construction phases.

To enable the City to monitor and enforce this requirement, the project applicant's plan shall identify the amount of construction and square footage of development associated with the GHG emissions anticipated for each phase. Any building that would cause emissions to exceed the projected 30-year net additional construction or operational emissions associated with a particular phase shall be considered to be in the next phase. At this point, the project applicant would have to purchase the next installment of AB 900 credits for the associated phase before the final Certificate of Occupancy is issued for this building (see below for more detail).

To account for potential future changes in phasing and project buildout, the project applicant shall purchase carbon credits for each of the three construction phases and three operational phases as follows.

- **Construction—Phase 1:** Before obtaining the first building permit for construction, the project applicant shall purchase the first installment of GHG offset credits for construction as presented in the table above and in the CARB Determination.

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		• **Construction—Phase 2:** Before obtaining the first building permit in Phase 2 of construction (i.e., the building permit for the first building that would cause construction emissions to exceed 54,663 $MTCO_2e$), the project applicant shall purchase GHG offset credits for construction as presented in the table above and in the CARB Determination. • **Construction—Phase 3:** Before obtaining the first building permit in Phase 3 of construction (i.e., the building permit for the first building that would cause total construction emissions to exceed 110,094 $MTCO_2e$, which is the total of Phase 1 and Phase 2, as defined by the CARB Determination), the project applicant shall purchase the third installment of GHG offset credits for construction as presented in the table above. • **Operations—Phase 1:** Before the City issues the final Certificate of Occupancy for the first building in Phase 1, the project applicant shall purchase the first installment of GHG offset credits for operations as presented in the table above and in the CARB Determination. • **Operations—Phase 2:** Before the City issues the final Certificate of Occupancy for the first building in Phase 2 (i.e., the building permit for the first building that would cause projected 30-year net additional operational emissions to exceed 494,359 $MTCO_2e$), the project applicant shall purchase the second installment of GHG offset credits for operations as presented in the table above and in the CARB Determination. • **Operations—Phase 3:** Before the City issues the final Certificate of Occupancy for the first building in Phase 3 (i.e., the building permit for the first building that would cause total projected 30-year net additional operational emissions to exceed 1,017,810 $MTCO_2e$, the total of Phase 1 and Phase 2 as defined by the CARB Determination), the project applicant shall purchase the third installment of GHG offset credits for operations as presented in the table above. The applicant shall increase the GHG offset purchase if needed to offset additional GHG emissions from project-lifetime construction and operations beyond the total GHG offsets required at the time of CARB's Determination, as calculated in the plan. As described in the CARB Determination, all GHG offset credits shall be purchased from the following CARB-accredited carbon registries: the American Climate Registry, Climate Action Reserve, and Verra (formerly Verified Carbon Standard). The GHG offset credits shall be verifiable by the City and enforceable in accordance with the registry's applicable standards, practices, or protocols. The GHG offsets must substantively satisfy all six of the statutory "environmental integrity" requirements applicable to the CARB Cap-and-Trade Program, generally as set forth in both subdivisions (d)(1) and (d)(2) of California Health and Safety Code §38562: real, additional, quantifiable, permanent, verifiable, and enforceable. To be eligible to be used to meet this Mitigation Measure, offset credits must be generated and verified in	

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		accordance with published protocols and other applicable standards which can demonstrate to the satisfaction of the City's verifier that all six of these environmental integrity requirements are substantively satisfied. All offset credits shall be verified by an independent verifier who meets stringent levels of professional qualification (i.e., ANAB Accreditation Program for Greenhouse Gas Validation/Verification Bodies or a Greenhouse Gas Emissions Lead Verifier accredited by CARB), or an expert with equivalent qualifications to the extent necessary to assist with the verification). Without limiting the generality of the foregoing, in the event that an approved registry becomes no longer accredited by CARB and the offset credits cannot be transferred to another accredited registry, the project applicant shall comply with the rules and procedures for retiring and/or replacing offset credits in the manner specified by the applicable protocol or other applicable standards including (to the extent required) by purchasing an equivalent number of credits to recoup the loss. The project applicant shall utilize the purchase and retirement of GHG offset credits generated from projects within the United States of America. In the unlikely event that an approved registry becomes no longer approved by CARB and the offset credits cannot be transferred to another CARB-approved registry, the project applicant shall comply with the rules and procedures for retiring and/or replacing offset credits in the manner specified by the applicable Protocol, Standard or Methodology, including (to the extent required) by purchasing an equivalent number of credits to recoup the loss. **Reporting and Enforcement:** On an annual basis, by March 1 of each year, the project applicant shall submit a letter to the Director of Planning, Building and Code Enforcement or the Director's designee confirming implementation of the emission reduction strategies listed in the AB 900 compliance plan. The letter shall also identify any changes or additions to the plan, including any recalculation of project emissions based on new information, incorporation of additional strategies, or changes in technology. If changes or additions to the plan are proposed, these shall be subject to review and approval by the Director of Planning, Building and Code Enforcement or the Director's designee, and the City's third-party consultant as noted above, within 30 days. In addition, before the City issues the final Certificate of Occupancy for the first building constructed in each phase, as the phases were defined at the time of CARB's certification and as laid out in the project applicant's plan, the applicant shall provide copies of GHG offset contracts demonstrating required purchases to the Director of the City of San José Department of Planning, Building and Code Enforcement, or the Director's designee, and to CARB and the Governor's Office of Planning and Research. This will serve as documentation to fully enforce the provision that the project result in no net additional GHG emissions for the life of the obligation.	

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3.7 Hazards and Hazardous Materials			
Impact HA-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal, or through reasonably foreseeable upset and accidental release of hazardous materials.	LTS	None required	LTS
Impact HA-2: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	S	**Mitigation Measures HA-3b and HA-3c**	LTSM
Impact HA-3: The proposed project is located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.	S	**Mitigation Measure HA-3a: Land Use Limitations** Before construction activities on parcels with land use covenants, other regulatory land use restrictions, open remediation cases, or contamination identified as part of a Phase II investigation above regulatory environmental screening levels, the project applicant for the specific work proposed shall obtain regulatory oversight from the appropriate agency. The project applicant shall perform further environmental investigation or remediation as needed to ensure full protection of construction workers, the environment, and the public. For properties with land use limitations, the limitations and restrictions may be reduced or removed entirely if the underlying contamination is removed or treated to below the regulatory screening levels for the proposed land use (residential, commercial, or industrial). The project applicant shall be required to prepare a remedial action plan describing the proposed cleanup actions, the target cleanup levels, and the proposed land use after cleanup. The remedial action plan shall be submitted to the regulatory agency enforcing the land use limitations for its review and approval. Upon regulatory agency approval, the project applicant shall implement the remedial action to clean up the site, followed by confirmation sampling and testing of soil, soil gas, and/or groundwater to verify that the cleanup achieved the target cleanup levels. The project applicant shall prepare a report documenting the cleanup activities, comparing the sample results to the target cleanup levels, and request that the land use limitations be modified or removed. The regulatory agency shall review the report and, if satisfied that the cleanup is sufficient, modify or remove the land use limitations. The report	LTSM

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		shall also be submitted to the Environmental Services Department's Municipal Environmental Compliance Officer. For properties with land use covenants (LUCs) that have incomplete Phase II investigations or that need further investigation to inform changes or removals of LUCs, Phase II investigations shall be performed before the start of any construction activities. If the Phase II investigations show soil, soil gas, and/or groundwater concentrations that exceed regulatory screening levels, the project applicant shall obtain regulatory oversight from the appropriate regulatory agency. The project applicant shall perform further environmental investigation and remediation if needed to ensure full protection of construction workers, the environment, and the public. Mitigation Measures HA-3b and HA-3c, described below, would be required and would describe the remediation measures to be implemented. Mitigation Measure HA-3d, described below, may also be implemented if appropriate to the particular site. **Mitigation Measure HA-3b: Health and Safety Plan** Before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition on parcels within the project site, the project applicant for the specific work proposed shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HSP) in accordance with federal Occupational Safety and Health Administration regulations (29 CFR 1910.120) and California Occupational Safety and Health Administration regulations (8 CCR Section 5192). The HSP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing and structure demolition activities. HSPs shall be submitted to the Director of Planning, Building, and Code Enforcement, or the Director's designee, the Environmental Services Department Municipal Environmental Compliance Officer, and any applicable oversight regulatory agency (if regulatory oversight is required) for review before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The HSP shall include, but not be limited to, the following elements: • Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HSP. • A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals. • Specified personal protective equipment and decontamination procedures, if needed. • The requirement to prepare documentation showing that HSP measures have been implemented during construction (e.g., tailgate safety meeting notes with signup sheet for attendees).	

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		• A requirement specifying that any site worker who identifies hazardous materials has the authority to stop work and notify the site safety and health supervisor. • Emergency procedures, including the route to the nearest hospital. • Procedures to follow if evidence of potential soil or groundwater contamination is encountered (such as soil staining, noxious odors, debris or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically include, but not be limited to, immediately stopping work in the vicinity of the unknown hazardous materials release; notifying the PBCE and the regulatory agency overseeing site cleanup, if any; and retaining a qualified environmental firm to perform sampling and remediation. **Mitigation Measure HA-3c: Site Management Plan** In support of the health and safety plans described in Mitigation Measure HA-3b, the project applicant for the specific work proposed shall develop and require that its contractor(s) develop and implement site management plans (SMPs) for the management of soil, soil gas, and groundwater before any ground-disturbing activity for all parcels with land use limitations and all parcels with known or suspected contamination. SMPs may be prepared for the entire project site, for groups of parcels, or for individual parcels. In any case, all such parcels shall be covered by an SMP. Each SMP shall include the following, at a minimum: • Site description, including the hazardous materials that may be encountered. • Roles and responsibilities of on-site workers, supervisors, and the regulatory agency. • Training for site workers focused on the recognition of and response to encountering hazardous materials. • Protocols for the materials (soil and/or dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner. • Reporting requirement to the overseeing regulatory agency and the Planning, Building, and Code Enforcement (PBCE), documenting that site activities were conducted in accordance with the SMP. SMPs for parcels with soil, soil gas, and/or groundwater above environmental screening levels for the proposed land use shall be submitted to the regulatory agency with jurisdiction (i.e., Department of Toxic Substances Control, the Regional Water Quality Control Board, or the SCCDEH), for review, and to the Director of Planning, Building, and Coded Enforcement or the Director's designee, and the Environmental Services Municipal Environmental Compliance Officer to inform their permit approval process before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The overseeing regulatory	

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		agency, if it accepts oversight, will require enrolment in its cleanup program and payment for oversight. The Contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials. For work at parcels that would encounter groundwater, as part of the SMPs, contractors shall include a groundwater dewatering control and disposal plan specifying how groundwater (dewatering effluent), if encountered, will be handled and disposed of in a safe, appropriate, and lawful manner. The groundwater portion of the SMPs shall include the following, at a minimum: • The locations at which groundwater dewatering is likely to be required. • Test methods to analyze groundwater for hazardous materials. • Appropriate treatment and/or disposal methods. • Discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used. **Mitigation Measure HA-3d: Vapor Mitigation** To mitigate exceedances of indoor air standards, the project applicant shall incorporate at least one or more of the vapor mitigation methods listed below on each parcel known to have soil gas concentrations above soil gas screening levels or identified to have concentrations above screening levels as a result of Phase II investigations included in Mitigation Measure HA-3c. The proposed work-specific vapor mitigation, if not in compliance with then-current guidance, must be pre-approved by the applicable regulatory oversight agency (e.g., DTSC, the Regional Water Quality Control Board, or the Santa Clara County Department of Environmental Health [SCCDEH]): • Excavate and remove contaminated materials (soil and, if needed, groundwater), to levels where subsequent testing verifies that soil gas levels are below screening levels. This approach would remove the source of soil gas and would not require a physical barrier such as a high-density polyethylene vapor barrier to prevent vapor intrusion. • Install a physical vapor barrier (e.g., liner) beneath the structure foundation that prevents soil gas from seeping into breathing spaces inside the structure. • Install a passive or powered vapor mitigation system layer that draws soil gas out of the under-foundation base rock and directs that soil gas to a treatment system to prevent people from being exposed outdoors. Upon completion, the project applicant shall prepare a report documenting the testing results and installed vapor mitigation method and submit the report to the regulatory agency with jurisdiction (i.e., DTSC, SCCDEH, or the Regional Water Quality Control	

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		Board). A copy of the report shall be provided to Director of Planning, Building and Code Enforcement, or the Director's designee, and the Environmental Services Department Municipal Environmental Compliance Officer to inform them of compliance with this requirement. The implemented mitigation measure shall result in indoor air concentrations that do not exceed the screening levels provided in the above-referenced DTSC HHRA Note 3.	
Impact HA-4: The proposed project is located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, but would not result in a safety hazard or excessive noise for people residing or working in the project area.	S	**Mitigation Measure NO-3** (refer to Section 3.10, *Noise and Vibration*)	LTSM
Impact HA-5: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LTS	None required	LTS
Impact C-HA-1: The proposed project would not combine with other projects to result in significant cumulative impacts related to hazardous materials.	S	**Mitigation Measures HA-3b**, **HA-3c**, and **HA-3d**	LTSM
Impact C-HA-2: The proposed project would not combine with other projects to result in significant cumulative impacts related to proximity to airports.	S	**Mitigation Measure NO-3** (refer to Section 3.10, *Noise and Vibration*)	LTSM
Impact C-HA-3: The proposed project would not combine with other projects to result in significant cumulative impacts related to impairment of implementation of or physical interference with adopted emergency response or evacuation plans.	LTS	None required	LTS

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3.8 Hydrology and Water Quality			
Impact HY-1: The proposed project could violate a water quality standard or waste discharge requirement or otherwise substantially degrade surface or groundwater quality.	S	**Mitigation Measures BI-1a**, **BI-2a, HA-3b,** and **HA-3c** (refer to Section 3.2, *Biological Resources*, and Section 3.7, *Hazards and Hazardous Materials*) **Mitigation Measure HY-1: Water Quality Best Management Practices during Construction Activities in and near Waterways** To avoid and/or minimize potential impacts on water quality (and jurisdictional waters) for project activities that would be conducted in, over, or within 100 feet of waterways, the project contractor shall implement the following standard construction best management practices (BMPs), applicable to project construction activities in, near, or over waterways, to prevent releases of construction materials or hazardous materials and to avoid other potential environmental impacts: • If the project includes activities such as debris removal or pier/pile demolition, the project applicant for the specific work proposed shall be required to submit a notice of intent to comply with waste discharge requirements and conditions identified by the San Francisco Bay Regional Water Quality Control Board. No debris, rubbish, soil, silt, sand, cement, concrete, or washings thereof, or other construction-related materials or wastes, oil, or petroleum products shall be allowed to enter jurisdictional waters, or shall be placed where it would be subject to erosion by rain, wind, or waves and enter into jurisdictional waters, except as permitted by the San Francisco Bay Regional Water Quality Control Board under an approved waste discharge requirement permit condition. Staged construction materials with the potential to be eroded/entrained during a rainfall event shall be covered every night and during any rainfall event (as applicable). • In-stream construction shall be scheduled during the summer low-flow season to the extent feasible to minimize impacts on aquatic resources. • To the maximum extent practicable, construction materials, wastes, debris, sediment, rubbish, trash, fencing, etc., shall be removed from the project site's riparian areas daily during construction, and thoroughly at the completion of the project. Debris shall be transported to a pre-designated upland disposal area. • Protective measures shall be used to prevent accidental discharges of oils, gasoline, or other hazardous materials to jurisdictional waters during fueling, cleaning, and maintenance of equipment, as outlined in the project's soil and groundwater management plan. Well-maintained equipment shall be used to perform construction work, and except in the case of failure or breakdown, equipment maintenance shall be performed off-site, to the extent feasible. Crews shall check heavy equipment daily for leaks; if a leak is discovered, it shall be immediately contained and use of the equipment shall be suspended until	LTSM

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		repaired. The source of the leak shall be identified, material shall be cleaned up, and the cleaning materials shall be collected and properly disposed. • Vehicles and equipment used during construction shall be serviced off-site, as feasible, or in a designated location a minimum of 100 feet from waterways. Fueling locations shall be inspected after fueling to document that no spills have occurred. Any spills shall be cleaned up immediately.	
Impact HY-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	LTS	None required	LTS
Impact HY-3: The proposed project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.	S	**Mitigation Measure HY-1** **Mitigation Measure BI-1a** (refer to Section 3.2, *Biological Resources*) **Mitigation Measure HY-3a: Flood Risk Analysis and Modeling** Once the final design is complete and before the issuance of any building permit for any portion of the project potentially subject to flooding according to FEMA flood maps and/or the best available data from the City or Valley Water, the project applicant for the specific work proposed shall conduct a hydrologic analysis of the final project design to address flood risks. The project applicant shall prepare a thorough hydrologic technical evaluation and demonstrate that the project poses minimal flood risk to occupants, residents, visitors, and surrounding properties. The project design shall be modified to minimize the impacts of the proposed development and shall be submitted to the City for review and approval. The design shall ensure that proposed new structures are elevated or flood-proofed above the 1 percent (100-year) base flood elevation, consistent with the City's adopted performance standards[9] that limit development within a special flood hazard area (Zone A) unless demonstrated that the cumulative effect of the proposed development not increase the water surface elevation of the base flood more than 1 foot at any point within the City of San José. The hydrologic technical evaluation shall demonstrate that after construction of the new structure(s), floodplain encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge for existing adjacent	LTSM

9 City of San José, *City of San José Code of Ordinances*, Title 17, Buildings and Construction; Chapter 17.08, Special Flood Hazard Areas; Part 5, Requirements; Section 17.08.640, New Developments. Available at https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT17BUCO_CH17.08SPFLHAARRE_PT5RESPFLHAAR_17.08.640NEDE. Accessed January 15, 2020.

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		structures or, for those structures located in the 100-year floodplain under existing conditions, the project shall not result in increases in the base flood elevation of more than one foot, consistent with the City's adopted performance standard. Final design measures shall be developed in consultation with Valley Water, subject to review and approval by the City Department of Public Works and Department of Planning, Building and Code Enforcement. Measures could include any of the following: • Use in-stream and associated floodplain restoration strategies in the riparian corridor to expand a greenway along Los Gatos Creek and conduct associated floodplain restoration. • Remove existing obstructions to flood conveyance, such as channel debris or existing structures within the floodway. • Upgrade the City's storm drain network. • Install protective infrastructure for subsurface structures to reduce the risk of inundation. • Raise the level of the project's structures to minimize risks to occupants and the surrounding community. • Flood-proof project structures with, including but not limited to, permanent or removable standing barriers, garage flood gates, or automated flip-up barriers. **Mitigation Measure HY-3b: Plan for Ongoing Creek Maintenance** In the event that the project includes channel rehabilitation, within 30 days of completion of the initial restoration program within Los Gatos Creek, the project applicant shall submit to Valley Water and to the Director of Planning, Building, and Code Enforcement for review and approval a plan for ongoing maintenance of the affected reach of Los Gatos Creek. The Plan shall be consistent with the conditions in the existing permits for Valley Water's ongoing stream maintenance program and/or shall be subject to its own project-specific permitting regime, subject to jurisdictional agency review and approval.	
Impact HY-4: The proposed project could create or contribute runoff water that could exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows.	S	**Mitigation Measures HY-1, HY-3a, and HY-3b**	LTSM

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Impact HY-5: The proposed project could risk release of pollutants in a flood hazard, tsunami, or seiche zone due to project inundation.	S	**Mitigation Measures HY-3a and HY-3b**	LTSM
Impact HY-6: The proposed project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	S	**Mitigation Measures HA-3b** and **HA-3c**	LTSM
Impact C-HY-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, could result in a considerable contribution to cumulative impacts on hydrology and water quality.	S	**Mitigation Measure HY-1** **Mitigation Measures BI-1a, BI-2a, HA-3b, and HA-3c** (refer to Section 3.2, *Biological Resources*, and Section 3.7, *Hazards and Hazardous Materials*)	LTSM
Impact C-HY-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, could result in a considerable contribution to cumulative impacts related to potentially substantial decreases in groundwater supplies.	LTS	None required	LTS
Impact C-HY-3: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, could result in a considerable contribution to cumulative impacts related to flood hazards.	S	**Mitigation Measures HY-3a and HY-3b**	LTSM

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3.9 Land Use			
Impact LU-1: The proposed project would not physically divide an established community.	LTS	None required	LTS
Impact LU-2: The proposed project would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	S	**Mitigation Measure NO-3** (refer to Section 3.10, *Noise and Vibration*)	SU
Impact LU-3: The proposed project would not result in 10 percent or more of the area of any one of the six major open space areas in the Downtown San José area (St. James Park, Plaza of Palms, Plaza de Cesar Chavez, Paseo de San Antonio, Guadalupe River Park, McEnery Park) being newly shaded by the project.	LTS	None required	LTS
Impact C-LU-1: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects within and in the vicinity of the project site, would not physically divide an established community.	LTS	None required	LTS

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Impact C-LU-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in a significant cumulative impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	S	**Mitigation Measure NO-3** (refer to Section 3.10, *Noise and Vibration*)	SU
Impact C-LU-3: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects within and in the vicinity of the project site, would not result in significant cumulative impacts related to shadow.	LTS	None required	LTS
3.10 Noise and Vibration			
Impact NO-1a: Stationary sources associated with operation of the proposed project could result in generation of a permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	S	**Mitigation Measure NO-1a: Operational Noise Performance Standard** Prior to the issuance of any building permit, the project applicant shall ensure that all mechanical equipment is selected and designed to reduce impacts on surrounding uses by meeting the performance standards of Chapters 20.20 through 20.50 of the San José Municipal Code, limiting noise from stationary sources such as mechanical equipment, loading docks, and central utility plants to 55 dBA, 60 dBA, and 70 dBA at the property lines of residential, commercial, and industrial receivers, respectively. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance has been verified by the City. Methods of achieving these standards include using low-noise-emitting HVAC equipment, locating HVAC and other mechanical equipment within a rooftop mechanical penthouse, and using shields and parapets to reduce noise levels to adjacent land uses. For emergency generators, industrial-grade silencers can reduce exhaust noise by 12 to 18 dBA, and residential-grade silencers can reduce such noise by 18 to 25 dBA.[10] Acoustical screening can also be applied to exterior	LTSM

[10] American Society of Heating, Refrigeration, and Air Conditioning Engineers, Technical Committee on Sound and Vibration, Generator Noise Control—An Overview, 2006.

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		noise sources of the proposed central utility plants and can achieve up to 15 dBA of noise reduction.[11] An acoustical study shall be prepared by a qualified acoustical engineer during final building design to evaluate the potential noise generated by building mechanical equipment and to identify the necessary design measures to be incorporated to meet the City's standards. The study shall be submitted to the Director of the City of San José Department of Planning, Building and Code Enforcement or the Director's designee for review and approval before the issuance of any building permit.	
Impact NO-1b: Project-generated traffic noise would result in permanent increases in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	S	**Mitigation Measure NO-1b: Traffic Noise Impact Reduction** Prior to the issuance of any building permits, the project applicant shall implement the following measures to reduce roadside noise impacts at the following roadway segments: • *West San Fernando Street from South Montgomery Street to Delmas Avenue*. Prior to the issuance of any building permits for Phase 1 construction on this block, the project applicant for the construction work proposed shall prepare and submit to the Director of Planning, Building and Code Enforcement, or the Director's designee, a site-specific acoustical study for review and approval. Upon approval of the site-specific acoustical study, the project applicant shall directly contact property owners of single-family residences to implement, with the owners' consent, reasonable sound insulation treatments, such as replacing the existing windows and doors with sound-rated windows and doors and providing a suitable form of forced-air mechanical ventilation, that could reduce indoor noise levels up to 45 dBA DNL, as warranted by the study. • *Bird Avenue from West San Carlos Street to Auzerais Avenue*. Prior to the issuance of any building permits for Phase 1 construction on this block, the project applicant for the construction work proposed shall prepare and submit to the Director of Planning, Building and Code Enforcement, or the Director's designee, a site-specific acoustical study for review and approval. Upon approval of the site-specific acoustical study, the project applicant shall directly contact the property owners of single-family homes on Auzerais Avenue, within 200 feet of Bird Avenue, to implement, with the owners' consent, reasonable sound insulation treatments, such as replacing the existing windows and doors with sound-rated windows and doors and providing a suitable form of forced-air mechanical ventilation, that could reduce indoor noise levels up to 45 dBA DNL, as warranted by the study.	SU

[11] Environmental Noise Control, Product Specification Sheet, ENC STC-32 Sound Control Panel System, 2014.

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Impact NO-1c: Construction of the proposed project could result in temporary increases in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	S	**Mitigation Measure NO-1c: Master Construction Noise Reduction Plan** Prior to the issuance of the first building permit for new construction within the project site, the project applicant shall prepare a Master Construction Noise Reduction Plan, to be implemented as development occurs throughout the project site to address demolition and construction of buildings within 500 feet of residential uses, or within 200 feet of commercial or office uses. The plan shall be submitted to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval, and implementation of the identified measures shall be required as a condition of each permit. This Master Construction Noise Reduction Plan shall include, at a minimum, the following noise reduction measures: 1. **Noise Monitoring:** The Master Construction Noise Reduction Plan shall include a requirement for noise monitoring of construction activity throughout the duration of project construction, at times and locations determined appropriate by the qualified consultant and approved by the Director of Planning, Building and Code Enforcement, or the Director's designee. 2. **Schedule:** Loud activities such as rock breaking and pile driving shall occur only between 8 a.m. and 4 p.m., every day (with pile driving and rock breaking to start no earlier than 9 a.m. on weekends). Similarly, other activities with the potential to create extreme noise levels exceeding 90 dBA shall be avoided where possible. Where such activities cannot be avoided, they shall also occur only between 8 a.m. and 4 p.m. Any proposed nighttime construction activities, such as nighttime concrete pours or other nighttime work necessary to achieve satisfactory results or to avoid traffic impacts, shall undergo review, permitting, and approval by the Director of Planning, Building and Code Enforcement, or the Director's designee. 3. **Site Perimeter Barrier:** To reduce noise levels for work occurring adjacent to residences, schools, or other noise-sensitive land uses, a noise barrier(s) shall be constructed on the edge of the work site facing the receptor(s). Barriers shall be constructed either with two layers of 0.5-inch-thick plywood (joints staggered) and K-rail or other support, or with a limp mass barrier material weighing 2 pounds per square foot. If commercial barriers are employed, such barriers shall be constructed of materials with a Sound Transmission Class rating of 25 or greater. 4. **Stationary-Source Equipment Placement:** Stationary noise sources, such as generators and air compressors, shall be located as far from adjacent properties as possible. These noise sources shall be muffled and enclosed within temporary sheds, shall incorporate insulation barriers, or shall use other measures as determined by the Director of Planning, Building, and Code Enforcement, or the Director's designee, to provide equivalent noise reduction. 5. **Stationary-Source Equipment Local Barriers:** For stationary equipment, such as generators and air compressors, that will operate for more than one week within 500 feet of a noise-sensitive land use, the project contractor shall provide	SU

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TABLE S-1
SUMMARY OF IMPACTS AND MITIGATION

Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		additional localized barriers around such stationary equipment that break the line of sight[12] to neighboring properties. 6. **Temporary Power:** The project applicant shall use temporary power poles instead of generators, where feasible. 7. **Construction Equipment:** Exhaust mufflers shall be provided on pneumatic tools when in operation for more than one week within 500 feet of a noise-sensitive land use. All equipment shall be properly maintained. 8. **Truck Traffic:** The project applicant shall restrict individual truck idling to no more than two consecutive minutes per trip end. Trucks shall load and unload materials in the construction areas, rather than idling on local streets. If truck staging is required, the staging area shall be located along major roadways with higher traffic noise levels or away from the noise-sensitive receivers, where such locations are available. 9. **Methods:** The construction contractor(s) shall consider means to reduce the use of heavy impact tools, such as pile driving, and shall locate these activities away from the property line, as practicable. Alternative methods of pile installation, including drilling, could be employed if noise levels are found to be excessive. Piles could be pre-drilled, as practicable, and a wood block placed between the hammer and pile to reduce metal-to-metal contact noise and "ringing" of the pile. 10. **Noise Complaint Liaison:** A noise complaint liaison shall be identified to field complaints regarding construction noise and interface with the project construction team. Contact information shall be distributed to nearby noise-sensitive receivers. Signs that include contact information shall be posted at the construction site. 11. **Notification and Confirmation:** Businesses and residents within 500 feet shall be notified by certified mail at least one month before the start of extreme noise-generating activities (to be defined in the Construction Noise Reduction Plan). The notification shall include, at a minimum, the estimated duration of the activity, construction hours, and contact information. 12. **Nighttime Construction:** If monitoring confirms that nighttime construction activities substantially exceed the ambient noise level (to be defined for receptors near each nighttime construction area in the site-wide Master Construction Noise Reduction Plan) and complaints occur regularly (generally considered to be two or more per week), additional methods shall be implemented, such as installing additional storm windows in specific residences and/or constructing additional local barriers. The specific approach shall be refined as the construction activities and noise levels are refined.	

[12] If a barrier does not block the line of sight between the source and the observer, the barrier will provide little or no attenuation (U.S. Department of Housing and Urban Development, The Noise Guidebook, prepared by The Environmental Planning Division, Office of Environment and Energy, March 2009, p. 24).

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		13. **Complaint Protocol:** Protocols shall be implemented for receiving, responding to, and tracking received complaints. A noise complaint liaison shall be designated by the applicant and shall be responsible for responding to any local complaints about construction noise. The community liaison shall determine the cause of the noise complaint and require that measures to correct the problem be implemented. Signage that includes the community liaison's telephone number shall be posted at the construction site and the liaison's contact information shall be included in the notice sent to neighbors regarding the construction schedule.	
Impact NO-2: The proposed project could result in the generation of excessive groundborne vibration or groundborne noise levels.	S	**Mitigation Measure NO-2a: Master Construction Vibration Avoidance and Reduction Plan** Prior to the issuance of the first building permit for the project, the project applicant shall prepare a Master Construction Vibration Avoidance and Reduction Plan. The plan shall be implemented by the applicant as development occurs throughout the project site to address demolition and construction activity that involves impact or vibratory pile driving, or use of a tunnel boring machine within 75 feet of conventionally constructed buildings. The plan shall be submitted to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval before the issuance of the initial grading or building permit. The plan shall include, at a minimum, the following vibration avoidance and reduction measures: • Neighbors within 500 feet of the construction site shall be notified of the construction schedule and that noticeable vibration levels could result from pile driving. • Foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. • Piles shall be jetted[13] or partially jetted into place to minimize the number of impacts required to seat the piles. • A construction vibration monitoring plan shall be implemented to document conditions before, during, and after pile driving and use of the tunnel boring machine. All plan tasks shall be undertaken under the direction of a Professional Structural Engineer licensed in the State of California, in accordance with industry-accepted standard methods. The construction vibration monitoring plan shall include the following tasks: – Identify the sensitivity of nearby structures to groundborne vibration. A vibration survey (generally described below) would need to be performed.	LTSM

[13] "Pile jetting" is a technique that is frequently used in conjunction with, or separate from, pile driving equipment for pile placement. Pile jetting uses a carefully directed and pressurized flow of water to assist in pile placement. This greatly decreases the bearing capacity of the soils below the pile tip, causing the pile to descend toward its final tip elevation with much less soil resistance, largely under its own weight.

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		– Perform a pre-construction photo survey, elevation survey, and crack monitoring survey for each of these structures. Surveys shall be performed before any pile driving activity, at regular intervals during pile driving, and after completion. The surveys shall include monitoring for internal and external cracks in structures, settlement, and distress, and shall document the condition of foundations, walls, and other structural elements in the interior and exterior of the structures. – Develop a vibration monitoring and construction contingency plan. The plan shall identify structures where monitoring is to be conducted, establish a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document conditions before and after pile driving. – Identify alternative construction methods for when vibration levels approach the limits stated in the General Plan, such as in Policy EC-2.3. – If vibration levels approach the limits, suspend construction and implement alternative construction methods to either lower vibration levels or secure the affected structures. – Conduct a post-construction survey on structures where either monitoring has indicated high vibration levels or complaints have been received regarding damage. Where damage has resulted from construction activities, make appropriate repairs or provide compensation. – Within one month after substantial completion of each phase identified in the project schedule, summarize the results of all vibration monitoring in a report and submit the report for review by the Director of Planning, Building and Code Enforcement or the Director's designee. The report shall describe measurement methods and equipment used, present calibration certificates, and include graphics as required to clearly identify the locations of vibration monitoring. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims. – Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site. **Mitigation Measure NO-2b: Master Construction Vibration Avoidance from Compaction** The project applicant shall also prepare a Master Construction Vibration Avoidance and Reduction Plan for construction activities that will not involve impact or vibratory pile driving but will employ a vibratory roller as a method of compaction. The plan shall be implemented by the applicant as development occurs throughout the project site to address construction activity occurring within 25 feet of conventionally constructed	

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		buildings. The plan shall be submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee for review and approval before the issuance of the initial grading or building permit. The plan shall include, at a minimum, the following vibration avoidance and reduction measures: • Contractors shall use non-vibratory, excavator-mounted compaction wheels and small smooth drum rollers for final compaction of asphalt base and asphalt concrete, if within 50 feet of a historic structure or 25 feet of a conventionally constructed structure. If needed to meet compaction requirements, smaller vibratory rollers shall be used to minimize vibration levels during repaving activities where needed to meet vibration standards. • The use of vibratory rollers and clam shovel drops near sensitive areas shall be avoided. • Construction methods shall be modified, or alternative construction methods shall be identified, and designed to reduce vibration levels below the limits. **Mitigation Measure CU-4** (refer to Section 3.3, *Cultural Resources and Tribal Cultural Resources*)	
Impact NO-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the proposed project could expose people residing or working in the project area to excessive noise levels.	S	**Mitigation Measure NO-3: Exposure to Airport Noise** Prior to approval of construction-related permits for residential and hotel structures on the easternmost blocks of the project site, which are located within the year 2027 65 dBA CNEL noise contour—including Blocks E2, E3, C1, and C3—each project applicant for a residential or hotel structure shall submit a noise reduction plan prepared by a qualified acoustical engineer for review and approval by the Director of Planning, Building and Code Enforcement or the Director's designee. The noise reduction plan shall contain noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the General Plan's Noise Element for any and all proposed residential land uses within the 65 dBA CNEL noise contour for operations at Norman Y. Mineta San José International Airport. Exterior-to-interior noise reductions of 36 dBA have been demonstrated in modern urban residential uses,[14] while attenuation of up to 45 dBA CNEL has been achieved at Airport hotels. Noise-reduction specifications shall be included on all building plans, and the construction contractor shall implement the approved plans during construction such that interior noise levels shall not exceed 45 dBA CNEL at these residential land uses.	SU

[14] Environmental Science Associates, 301 Mission Street, Millennium Tower Perimeter Pile Upgrade Project, Preliminary Mitigated Negative Declaration and Initial Study, November 2019, p. 102.

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Impact NO-4 *(Non-CEQA noise impacts of the environment on the project)*: The project would not expose people residing or working within the project area to excessive noise levels.	NI	None required	NA
Impact NO-5 *(Non-CEQA vibration impacts of the environment on the project)*: The project could expose people residing or working within the project area to excessive groundborne vibration levels.	NI	None required[15]	NA
Impact C-NO-1: Construction activities for the proposed project combined with cumulative construction noise in the project area would result in a substantial temporary or periodic increase in ambient noise levels in excess of standards established in the General Plan or Noise Ordinance.	S	**Mitigation Measure NO-1c**	SU
Impact C-NO-2: Operation of the proposed project when considered with other cumulative development would cause a substantial permanent increase in ambient noise levels in excess of standards established in the General Plan or Noise Ordinance.	S	**Mitigation Measure C-NO-2: Cumulative Traffic Noise Impact Reduction** Prior to the issuance of any building permits, the project applicant shall implement the following measures to reduce roadside noise impacts at the following roadway segment: • *North Montgomery Street from West Julian Street to St. John Street.* Prior to the issuance of any building permits for Phase 1 construction on this block, the project applicant shall prepare and submit to the Director of Planning, Building and Code Enforcement, or the Director's designee, a site-specific acoustical study for review and approval. Upon approval of the site-specific acoustical study, the project applicant shall directly contact property owners of single-family homes on this stretch of North Montgomery Street to implement, with the owners' consent, reasonable sound insulation treatments. Treatments may include replacing the existing windows and doors with sound-rated windows and doors and providing a suitable form of forced-air mechanical ventilation, which could reduce indoor noise levels up to 45 dBA DNL, as warranted by the study.	SU

[15] A condition of approval to address this non-CEQA impact would establish a vibration performance standard for residential developments exposed to vibration levels in excess of 72 VdB from operations of the adjacent Caltrain tracks and would require preparation of detailed project-level vibration analyses to ensure that the standard would be met.

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Impact C-NO-3: The proposed project would make a considerable contribution to exposure of people to excessive airport noise levels.	S	**Mitigation Measure NO-3**	SU
3.11 Population and Housing			
Impact PH-1: The proposed project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).	LTS	None required	LTS
Impact PH-2: The proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	LTS	None required	LTS
Impact C-PH-1: The proposed project would result in a cumulatively considerable contribution to the citywide significant and unavoidable cumulative impact related to the jobs/housing imbalance identified in the 2040 General Plan EIR.	S	No feasible mitigation is available.	SU

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3.12 Public Services and Recreation			
Impact PS-1: 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, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection and emergency services.	LTS	None required	LTS
Impact PS-2: 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, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection.	LTS	None required	LTS

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Impact PS-3: 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, in order to maintain acceptable service ratios or other performance objectives for schools.	LTS	None required	LTS
Impact PS-4: 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, in order to maintain acceptable service ratios or other performance objectives for libraries.	LTS	None required	LTS
Impact PS-5: 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, in order to maintain acceptable service ratios or other performance objectives for parks and community centers.	LTS	None required	LTS

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Impact PS-6: The proposed project would not increase the use of existing neighborhood- and regional serving parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	LTS	None required	LTS
Impact PS-7: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.	S	**Mitigation Measures AQ-2a**, **AQ-2b**, **AQ-2c**, **BI-1a**, **BI-1b**, **BI-1c**, **BI-1d**, **BI-1e**, **BI-1f**, **BI-2a**, **BI-2b**, **BI-2d**, **BI-3**, **CU-8a**, **CU-8b**, **CU-8c**, **CU-8d**, **GE-5a**, **GE-5b**, **GE-5c**, **GE-5d**, **GR-2, HA-3a**, **HA-3b**, **HA-3c**, **HY-1, HY-3a, NO-1c**, **NO-2a**, and **NO-2b** (refer to Section 3.1, *Air Quality*; Section 3.2, *Biological Resources*; Section 3.3, *Cultural Resources and Tribal Cultural Resources*; Section 3.5, *Geology, Soils, and Paleontological Resources*; Section 3.6, *Greenhouse Gas Emissions*; Section 3.7, *Hazards and Hazardous Materials*; Section 3.8, *Hydrology and Water Quality*; and Section 3.10, *Noise and Vibration*)	LTSM
Impact C-PS-1: The proposed project, combined with cumulative development in the project vicinity and citywide, would contribute to a cumulative increase in demand for fire protection and emergency services but would not result in significant environmental impacts due to the construction of new facilities.	LTS	None required	LTS
Impact C-PS-2: The proposed project, combined with cumulative development in the project vicinity and citywide, would not result in an adverse cumulative increase in demand for police protection.	LTS	None required	LTS
Impact C-PS-3: The proposed project, combined with cumulative development in the project vicinity and citywide, would not result in an adverse cumulative increase in demand for schools.	LTS	None required	LTS

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Impact C-PS-4: The proposed project, combined with cumulative development in the project vicinity and citywide, would not result in an adverse cumulative increase in demand for library services.	LTS	None required	LTS
Impact C-PS-5: The proposed project, combined with cumulative development in the project vicinity and citywide, would not result in an adverse cumulative increase in demand for parks and recreation services.	LTS	None required	LTS
3.13 Transportation			
Impact TR-1: The proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.	LTS	None required	LTS
Impact TR-2: The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b) regarding the use of VMT for analysis of land use projects.	LTS	None required	LTS
Impact TR-3: The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	LTS	None required	LTS
Impact TR-4: The proposed project would not result in inadequate emergency access.	LTS	None required	LTS

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Impact TR-5: The proposed project would not cause an increase in VMT per service population over Year 2040 Cumulative No Project conditions.	LTS	None required	LTS
Impact TR-6: The proposed project would not cause an increase in journey-to-work drive-alone mode share over Year 2040 Cumulative No Project conditions.	LTS	None required	LTS
Impact TR-7: The proposed project would cause a decrease in average travel speed on a transit corridor below Year 2040 Cumulative No Project conditions in the 1-hour a.m. peak period when the average speed drops below 15 mph or decreases by 25 percent or more; OR when the average speed drops by 1 mph or more for a transit corridor with average speed below 15 mph.	S	**Mitigation Measure: AQ-2h, Enhanced Transportation Demand Management Program** (refer to Section 3.1, *Air Quality*)	LTSM
Impact C-TR-1: The proposed project would result in a cumulatively considerable contribution to a significant transportation impact.	S	**Mitigation Measure: AQ-2h, Enhanced Transportation Demand Management Program** (refer to Section 3.1, *Air Quality*)	LTSM
3.14 Utilities and Service Systems			
Impact UT-1: The proposed project would not require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.	S	**Mitigation Measures AQ-2a, AQ-2b, AQ-2c, BI-1a**, **BI-1b**, **BI-1c**, **BI-1d**, **BI-1e**, **BI-1f**, **BI-2a**, **BI-2b**, **BI-2d**, **BI-3**, **CU-8a**, **CU-8b**, **CU-8c**, **CU-8d**, **GE-5a, GE-5b, GE-5c, GE-5d**, **HA-3a**, **HA-3b, HA-3c, HA-3d, HY-1, HY-3a, NO-1c, NO-2a, and NO-2b** (Refer to Section 3.1, *Air Quality*; Section 3.2, *Biological Resources*; Section 3.3, *Cultural Resources and Tribal Cultural Resources*; Section 3.5, *Geology, Soils, and Paleontological Resources*; Section 3.7, *Hazards and Hazardous Materials*; Section 3.8, *Hydrology and Water Quality*; and Section 3.10, *Noise and Vibration*)	LTSM

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Impact UT-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.	LTS	None required	LTS
Impact UT-3: The proposed project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects.	S	**Mitigation Measures AQ-2a, AQ-2b, AQ-2c, BI-1a**, **BI-1b**, **BI-1c**, **BI-1d**, **BI-1e**, **BI-1f**, **BI-2a**, **BI-2b**, **BI-2d**, **BI-3**, **CU-8a**, **CU-8b**, **CU-8c**, **CU-8d**, **GE-5a, GE-5b, GE-5c, GE-5d**, **HA-3a**, **HA-3b, HA-3c, HA-3d, HY-1, HY-3a, NO-1c, NO-2a, and NO-2b** (Refer to Section 3.1, *Air Quality*; Section 3.2, *Biological Resources*; Section 3.3, *Cultural Resources and Tribal Cultural Resources*; Section 3.5, *Geology, Soils, and Paleontological Resources*; Section 3.7, *Hazards and Hazardous Materials*; Section 3.8, *Hydrology and Water Quality*; and Section 3.10, *Noise and Vibration*)	LTSM
Impact UT-4: The proposed project would not result in a determination by the wastewater treatment provider that serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	LTS	None required	LTS
Impact UT-5: The proposed project would not require or result in the relocation or construction of new or expanded stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects.	S	**Mitigation Measures AQ-2a, AQ-2b, AQ-2c, BI-1a**, **BI-1b**, **BI-1c**, **BI-1d**, **BI-1e**, **BI-1f**, **BI-2a**, **BI-2b**, **BI-2d**, **BI-3**, **CU-8a**, **CU-8b**, **CU-8c**, **CU-8d**, **GE-5a, GE-5b, GE-5c, GE-5d**, **HA-3a**, **HA-3b, HA-3c, HA-3d, HY-1, HY-3a, NO-1c, NO-2a, and NO-2b** (Refer to Section 3.1, *Air Quality*; Section 3.2, *Biological Resources*; Section 3.3, *Cultural Resources and Tribal Cultural Resources*; Section 3.5, *Geology, Soils, and Paleontological Resources*; Section 3.7, *Hazards and Hazardous Materials*; Section 3.8, *Hydrology and Water Quality*; and Section 3.10, *Noise and Vibration*)	LTSM
Impact UT-6: The proposed project would not require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	S	**Mitigation Measures AQ-2a, AQ-2b, AQ-2c, BI-1a**, **BI-1b**, **BI-1c**, **BI-1d**, **BI-1e**, **BI-1f**, **BI-2a**, **BI-2b**, **BI-2d**, **BI-3**, **CU-8a**, **CU-8b**, **CU-8c**, **CU-8d**, **GE-5a, GE-5b, GE-5c, GE-5d**, **HA-3a**, **HA-3b, HA-3c, HA-3d, HY-1, HY-3a, NO-1c, NO-2a, and NO-2b** (Refer to Section 3.1, *Air Quality*; Section 3.2, *Biological Resources*; Section 3.3, *Cultural Resources and Tribal Cultural Resources*; Section 3.5, *Geology, Soils, and Paleontological Resources*; Section 3.7, *Hazards and Hazardous Materials*; Section 3.8, *Hydrology and Water Quality*; and Section 3.10, *Noise and Vibration*)	LTSM

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Impact UT-7: The proposed project would not generate solid waste in excess of state or local standards or of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	LTS	None required	LTS
Impact UT-8: The proposed project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	LTS	None required	LTS
Impact C-UT-1: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to cumulative impacts on water utility systems or water supply.	LTS	None required	LTS
Impact C-UT-2: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to cumulative impacts on wastewater utility systems.	LTS	None required	LTS
Impact C-UT-3: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to cumulative impacts on stormwater utility systems.	LTS	None required	LTS

IMPACT CODES:

NA = not applicable
NI = no impact
LTS = less than significant or negligible impact; no mitigation required
LTSM = less than significant or negligible impact, after mitigation
S = significant
SU = significant and unavoidable adverse impact, after mitigation (where applicable)

TABLE S-1
SUMMARY OF IMPACTS AND MITIGATION

Impact Statement	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
Impact C-UT-4: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to cumulative impacts on electric power, natural gas, or telecommunications systems.	LTS	None required	LTS
Impact C-UT-5: The proposed project, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to cumulative impacts related to solid waste.	LTS	None required	LTS

IMPACT CODES:

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LTSM = less than significant or negligible impact, after mitigation
S = significant
SU = significant and unavoidable adverse impact, after mitigation (where applicable)

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