

Environmental Assessment

1710 Moorpark Avenue

San José, CA 95128

Determinations and Compliance Findings

for HUD-assisted Projects

24 CFR Part 58



May 2021



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410

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Project Identification: 1710 Moorpark Avenue
San José, Ca 95128

Responsible Entity: City of San José

Preparer: AEM Consulting

Month/Year: May 2021

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Project Information

Project Name: 1710 Moorpark Avenue

Responsible Entity: City of San José
Planning, Building & Code Enforcement
200 E. Santa Clara Street, T-3
San José, CA 95113

Grant Recipient (if different than Responsible Entity): Santa Clara County Housing Authority
505 W. Julian Street
San José, CA 95110

State/Local Identifier:

Preparer: Cinnamon Crake, President, AEM Consulting

Certifying Officer Name and Title: Chu Chang, Acting Director
Planning, Building and Code Enforcement

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Reema.mahamood@sanjoseca.gov

Project Location: 1710 Moorpark Avenue, San José, Santa Clara County, California 95128 (APN 282-44-027)

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

MidPen Housing Corporation (MidPen) proposes to construct a new 100% affordable housing project at 1710 Moorpark Avenue, San José, Santa Clara County, California 95128 (APN 282-44-027). The project will be developed in conjunction with the owner of the property, Immanuel Evangelical Lutheran Church of San José. The total estimated project cost is \$73,050,000. The Santa Clara County Housing Authority (SCCHA) will be providing assistance to the project in the form of Section 8 Project Based Vouchers (PBVs) for 97 studio apartment units as authorized under Section 8 of the Housing Act of 1937 of 1990, as amended. PBV housing assistance will be provided for an initial contract term of 20 years, with a possible automatic renewal of an additional 20 years, subject to annual appropriations from the federal government and SCCHA's determination that the owner is in compliance with the Housing Assistance Payment contract and other applicable HUD requirements, for a total of forty (40) years. The estimated total funding for rental subsidy is \$57,054,624 (\$2,852,731 annually) for the initial 20-year term of the Housing Assistance Payment contract and contingent upon the availability of Section 8 funds as allocated by the federal government. Please note that the actual funded amount may be up to \$5,000,000 more to account for market fluctuations.

The Church will ground lease 0.7 acre of the site to MidPen for the development of the affordable housing. An existing one-story building on the site will be demolished. The Church operates a chapel and sanctuary adjacent to the site and will spilt the adjacent parcel to create the new 0.7-acre site for MidPen to develop. The existing chapel and sanctuary will remain on the site. A portion of the new building will contain a 2,000-square-foot community serving space that will be leased to the church.

The project includes a two-phase demolition of an existing one-story structure (church fellowship hall and fireside lounge), on the northern end of the parcel, and the new construction of a four-story type V-A over a one-story, Type I-A building, to accommodate 106 studio units of a resident services facility (supportive housing), and two on-site manager units. A total of 37 parking spaces will be provided on-site, as well as 54 bicycle parking spaces. The ground floor will contain the parking garage, lobby, and multi-function space with kitchen. Site amenities include courtyard, second floor terrace, community room, and laundry facilities.

The residential supportive housing development will be built over podium parking, lobby, and approximately 2,000 square feet of private community gathering space. The southern portion of the existing church structure will be retained and will not be demolished.

Source: (1)

Maps:

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

The purpose of the proposal is to increase the number of affordable housing units in the City of San José and the County of Santa Clara. The 106 units proposed under the project would be 100 percent affordable and would assist in meeting the City of San José's Regional Housing Needs Allocation of 35,080 affordable dwelling units by 2022.

Since 2000, the total population of San José has increased by an average of 12,795 residents per year, reaching 1,023,083 at the beginning of 2010. San José's population is expected to grow 38 percent to 1,313,811 in year 2040. Over half of the city's housing stock consists of single-family detached units, although multi-family development (i.e., apartments, condominiums, and townhouses) has been the fastest-growing housing type in recent years, accounting for 75 percent of all residential construction since 2000. The average household size is expected to decrease from the current rate of 3.2 people to about 3.06 people by 2035. Still, the need for affordable multifamily housing is great.

As the "Capital of Silicon Valley," and home to many of the world's most innovative technology companies, San José is also one of the most expensive places in the country to reside. To maintain and strengthen San José's objective for long-term, widely shared prosperity, the Envision San José 2040 General Plan ("General Plan") seeks to support the interrelated goals of economic development and the creation of homes that are affordable for current and future residents. When households can afford housing, they have more resources to save, invest, support the community, and spend in the local economy. Additionally, when the cost of housing is within the reach of employee buying power, businesses can more easily hire and retain workers.

However, in light of the current crisis brought about by the Covid-19 pandemic, the economy in the Bay Area is expected to be severely impacted. This may result in uneven job growth throughout the region, increased income disparity, and high foreclosure rates. Bay Area communities face these challenges at a time when there are fewer public resources available than in past decades for investments in infrastructure, public transit, affordable housing, schools, and parks.

San José envisions a future land use pattern that is more efficient, equitable, urban, walkable, and dynamic than its existing, predominantly low-density and auto-centric form. Creating homes that are higher density, affordable, and built in the right locations is fundamental to helping the City reach Envision San José 2040 General Plan goals. The General Plan directs housing growth to occur in a high-density, mixed-use format in identified growth areas, including Downtown, North San José, Specific Plan Areas, Urban Villages and along transit corridors, station areas, and commercial centers.

Sources: (2) (3) (4) (5) (6) (7)

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

The site consists of two one-story buildings and an associated adjacent parking lot on the southeastern corner of Moorpark Avenue and Leigh Avenue in San José, California. The site is currently occupied by Immanuel Lutheran Church and associated administrative activities. The site is covered by asphalt and associated landscaping. The general land use in the vicinity of the site is residential and commercial. The site is relatively flat at an elevation of about 125 feet above mean sea level (msl). The regional topographic gradient direction slopes toward the west to northwest and, therefore, the direction of groundwater flow beneath the site is inferred to be to the west to northwest. The San Francisco Bay is located approximately 12 miles to the northwest. The soils at the site are classified as urban land and are generally characterized as brown to dark brown, moist sand.

The cost of living in San José and the surrounding areas is among the highest in California and the nation, according to 2004 data. Housing costs are the primary reason for the high cost of living. San José has the most expensive housing market in the country and the fifth most expensive housing market in the world, according to the 2017 Demographia International Housing Affordability Survey.

According to HUD's Comprehensive Housing Affordability Strategy 2012-2016 (CHAS) data for San José, 44 percent of San José households (139,765 households) are extremely low-income, very low-income, or low-income, with incomes ranging from 0-80 percent of AMI. Of these, 40 percent are extremely low-income (56,510 households at 0-30 percent AMI), 29 percent are very low-income (41,090 households at 30-50 percent AMI), and 30 percent are low-income (42,165 households at 50-80 percent AMI).

Many low-income households (0-80 percent AMI) are cost burdened. Of all low income households, 30 percent of homeowners and 49 percent of renters are paying more than 30 percent of their income towards housing costs (55,540 and 67,160 respectively); 12 percent of homeowners and 24 percent of renters are paying more than 50 percent of their income toward housing costs (21,515 and 33,105 respectively)—these households are considered households with severe cost burdens. Significantly, of the severely cost-burdened renters, 17 percent of all households with severe cost burdens are extremely low-income households (56,510 households).

These trends are likely to continue in the absence of the project. The project would help to stem the trends outlined above by providing affordable housing.

Source: (6) (8)

Funding Information

Grant Number	HUD Program	Funding Amount
N/A	97 Project-Based Section 8 Vouchers – CFDA No. 14.871	\$57,054,624*

*\$2,852,731 annually

Estimated Total HUD Funded Amount: \$57,054,624 over 20 years.

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$73,050,000

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Norman Y. Mineta San José International Airport (Airport) is located approximately 4 miles northeast of the project site. Reid-Hillview Airport is approximately 7 miles east of the project site.</p> <p>The project site is not within the 65 CNEL (maximum allowable noise level considered compatible with residential uses) noise contour for the airport.</p> <p>No airport clear zones or accident potential zones from any nearby airport extend to the site.</p> <p>Source Documentation: (9) (7) (10)</p>
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>There are no Coastal Barrier Resources in California.</p> <p>Source Documentation: (11)</p>
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The subject parcel is not located within a 100-year floodplain (Zones A or V) or 500-year floodplain (Zone B) identified on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). The project is not located in a Flood Zone. The area is a Flood Hazard Area Designation Zone D: The Zone D designation is used for areas where there are possible, but undetermined, flood hazards, as no analysis of flood hazards has been conducted. The designation of Zone D is also used when a community incorporates portions of another community's area where no map has been prepared.</p>

		Flood insurance is not required. Source Documentation: (12)
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The following is a summary of the Air Quality & Greenhouse Gas Assessment conducted by Illingworth & Rodkin, Inc. for the proposed project.</p> <p>Air pollutant, GHG emissions and the potential construction community risk impact to nearby sensitive receptors and the impact of existing toxic air contaminant (TAC) sources were evaluated. The analysis followed the Bay Area Air Quality Management District (BAAQMD) guidance and U.S. Department of Housing and Urban Development (HUD) thresholds for projects.</p> <p>The Bay Area does not meet ambient air quality standards for ground-level ozone, respirable particulate matter (PM10), and fine particulate matter (PM2.5).</p> <p>The assessment applied appropriate <i>de minimis</i> thresholds of the Rule as they apply to the San Francisco Bay Area Air Basin for ozone precursors, PM2.5, and carbon monoxide (CO). The <i>de minimis</i> thresholds for these three pollutants in the San Francisco Bay Area Air Basin are 100 tons per year for each pollutant or precursor pollutant (i.e., NOx, reactive organic gases [ROG], PM10 and PM2.5).</p> <p>Annual construction emissions were predicted using CalEEMod. Predicted construction period emissions and would not exceed the BAAQMD significance thresholds or the NEPA <i>de minimis</i> thresholds.</p> <p>Construction activities would temporarily generate fugitive dust in the form of PM10 and PM2.5. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less-than-significant if Best Management Practices are implemented to reduce these emissions.</p> <p>CalEEMod was used to estimate emissions from operation of the proposed project assuming full build-out.</p> <p>The operational period emissions would not exceed the BAAQMD significance thresholds or the NEPA <i>de minimis</i> thresholds.</p> <p>Community health risk assessments examine all substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of the project site (i.e., influence area). These sources</p>

	<p>include railroads, freeways or highways, busy surface streets, and stationary sources identified by BAAQMD. A review of the project area indicates that traffic on Interstate 280 (I-280), Moorpark Avenue, and Parkmoor Avenue has an average daily traffic (ADT) of over 10,000 vehicles. One stationary source was identified within the 1,000-foot influence area using the BAAQMD's stationary source website map. The one stationary source, Plant #16210, was identified as diesel generator at the San Jose Fire Department, 710 Leigh Avenue, approximately 550 feet to the south of the subject property.</p> <p>Community risk impacts from the combined sources upon the project site are reported in the assessment. The TAC sources are compared against the BAAQMD single-source threshold and then combined and compared against the BAAQMD cumulative-source threshold. The Hazard Index (HI) from the sources do not exceed their single-source or cumulative-source thresholds. However, cancer risk and annual PM2.5 concentrations are estimated to exceed the single-source threshold, but not the cumulative-source threshold, due to emissions from I-280.</p> <p>Filtration in ventilation systems at the project site would be recommended to reduce the level of harmful pollutants to below the significant thresholds. The significant exposure for new project receptors is judged by two effects: (1) increased cancer risk, and (2) annual PM2.5 concentration. Exposure to cancer risk and annual PM2.5 concentrations from I-280 traffic are above their respective thresholds. Annual PM2.5 concentrations are based on the exposure to PM2.5 resulting from emissions attributable to truck and auto exhaust, the wearing of brakes and tires and re-entrainment of roadway dust from vehicles traveling over pavement. The modeled PM2.5 exposure to future residents drives the mitigation plan. Reducing particulate matter exposure would reduce both annual PM2.5 exposures and cancer risk.</p> <p>A ventilation system with MERV13 would achieve an 80-percent reduction. This would reduce the maximum cancer risk from I-280 to 5.8 in one million and annual PM2.5 concentration from I-280 to 0.15 µg/m³. With this recommended design feature, impacts from I-280 are below their respective single-source thresholds.</p> <p><i>Mitigations Measures AQ1 through AQ5 are required.</i></p> <p>Source Documentation: (13) (14) (15) (16) (17) (18) (19)</p>
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<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project does not involve activities within 100 feet of the shoreline or any of the other activities that requires a permit. The project site is roughly 8 miles from the shoreline and therefore not subject to oversight by the San Francisco Bay Conservation and Development Commission.</p> <p>A Coastal Development Permit is not required.</p> <p>Source Documentation: (7) (20) (21)</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>AEI Consultants conducted a Phase I Environmental Site Assessment (ESA) for the property. A summary of the report follows. AEI did not identify evidence of Recognized (REC), Controlled Recognized (CREC), or Historical Recognized Environmental Condition (HREC). Other Environmental Considerations (OEC) warrant discussion. There is potential that agricultural chemicals, such as pesticides, herbicides, and fertilizers, were used on site, and that the subject property has been impacted by the use of such agricultural chemicals. Consequently, prior to redevelopment AEI recommends on-site sampling to determine if the subject property has been significantly impacted by the historical agricultural use.</p> <p>AEI completed a limited soil sampling investigation at the Site. Chlordane, arsenic, and lead were identified in soil which exceeds the residential screening levels. Chlordane use is associated with termite treatments and was used as a general-purpose pesticide prior to 1978. Chlordane detections at SB-1 and SB-3 may be a result of termite treatment application at the exterior of the building(s) at the Site. Arsenic, though exceeding residential and commercial/industrial ESLs, is likely a result of natural background concentrations which can be as high as 11 mg/kg. Lead may be associated with the historical use (and subsequent flaking) of lead-based paint at the Site, aerial deposition associated with the adjacent freeway, and was a historical component of some pesticides. Lead is not an uncommon soil contaminant at buildings built before 1978 and/or adjacent to major highways.</p> <p>It is expected the impacts are limited to surface soils and may be adequately mitigated by focused removal and disposal followed by verification testing at the time of redevelopment. Planned redevelopment will effectively cover the Site with the building concrete pad and ground cover, limiting direct contact with any remaining impacted soils after redevelopment activities. These</p>

		<p>findings should be reviewed with the planned development timeline, grading plans, and building characteristics to determine the most appropriate mitigation approach</p> <p>Considerable amounts of Asbestos-Containing Materials (ACM), asbestos containing materials were found. The project applicant shall comply with all applicable laws and regulations regarding removal of ACM including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request. Due to the age of the subject property building, there is a potential that Lead-Based Paint is present. Demolition activities of the subject property buildings are planned.</p> <p>It is the responsibility of the environmental and demolition contractors to comply with all EPA and DTSC waste disposal regulations when conducting lead-related work and demolition activities. Any paint chips generated from paint film stabilization are assumed RCRA hazardous waste and must be disposed of accordingly. All wastes must be disposed of in the proper facility.</p> <p>It should be noted that construction activities that disturb materials or paints containing any amount of lead may be subject to certain requirements of the OSHA lead standard contained in 29 CFR 1910.1025 and 1926.62.</p> <p>AEM Consulting reviewed the Toxic and Hazardous Materials Database (EnviroStor) on May 23, 2020 and the State of California Water Resources Control Board (GeoTracker). A review of Envirostor revealed no listed sites within 2,000 feet of the project location. A search of Geotracker returned two closed and completed sites within 2,000 feet of the project site.</p> <p><i>Mitigation Measures HZ1 through HZ5 are required.</i></p> <p>Source Documentation: (8) (22) (23) (24) (25)</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The project site is located in a developed, urban area in the Willow Glen Planning District of San José. The project site has been developed since the 1950's. Prior to that time, it was used for agricultural purposes. No sensitive habitats or wetlands are on or adjacent to the project site. The nearest waterways to the site are</p>

	<p>Los Gatos Creek and the Guadalupe River, approximately 1 mile south and 2.5 miles northeast of the project site, respectively.</p> <p>The U.S. Fish and Wildlife was contacted for a list of Threatened and Endangered species that may occur within the boundary of the project site or that may be affected by the proposed project. There are Federal Endangered and Threatened species listed for the vicinity, but the project site does not contain critical habitats for these species. The proposed project is located within the SCVHP study area and is designated as Urban-Suburban. Urban-Suburban land comprises areas where natural vegetation has been cleared for residential, commercial, industrial, transportation, or recreational structures, and has a density of one or more structures per 2.5 acres.</p> <p>The proposed project will not have an adverse impact through habitat modifications, on any species identified as a candidate, sensitive, or special-status species, in local or regional plans, policies, or regulations, or by the CDFW or USFWS.</p> <p>The trees on and adjacent to the project site could provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800. Future redevelopment of the site during the nesting season (i.e., February 1 to August 31) could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking. Future construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.</p> <p>In conformance with the California State Fish and Game Code, the provisions of the Migratory Bird Treaty Act, and Envision San José 2040 General Plan policies ER-5.1 and ER-5.2, future redevelopment under the proposed land use designation would be required to implement measures to avoid and/or reduce impacts to nesting birds (if present on or adjacent to the site) to a less than significant level.</p> <p>Impact BIO-1: If project demolition and tree removals occur during breeding season, it could result in an adverse impact to nesting</p>
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		<p>raptors. Mitigation measures are identified in the Mitigation Measures and Conditions Section.</p> <p>HortScience prepared a Preliminary Arborist Report for this project for submittal to the City of San Jose.</p> <p>The City of San Jose protects trees with trunk diameters of 12-inches or greater (Municipal Code Chapter 13.32). For multi-trunked trees, the sum of all stem measurements equals the trunk diameter for ordinance and mitigation purposes. Based on this definition, 25 Ordinance Sized trees were included in the assessment. These trees cannot be removed without a permit.</p> <p>Tree removal for the project will be necessary to accommodate the new building, paving and driveway. Of the trees to be removed, four will be ordinance-sized native trees and seven will be ordinance-sized non-native trees. The remaining 13 non-ordinance size tree removals are not native. The required number of replacement trees is 69 15-gallon size trees or 35 24" box-size trees. Replacement trees unable to be accommodated on site will be mitigated with the cities in lieu fee per tree.</p> <p><i>Mitigation Measures BIO-1through BIO-12 are required.</i></p> <p>Source Documentation: (26) (27) (28) (29) (30) (31) (32)</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project does not involve the use or storage of explosive or flammable materials or operations. No evidence of above ground storage tanks was observed during the Phase I ESA reconnaissance visit. None of the regulatory databases or other regulatory agency records searched during the Phase I ESA contained records pertaining to ASTs, and persons interviewed at the site were not aware of the presence of any other tanks. There are no current or known planned stationary aboveground storage containers of concern within 1 mile of the project site.</p> <p>Source Documentation: (9) (7) (33) (8)</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Prime farmland is land best suited for producing food, forage, fiber, and oilseed crops, as well as being available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). This project is located in an urban area, no longer suitable for or identified as farmland.</p> <p>The project will not affect farmlands. No federally designated Farmlands have been identified within the project area.</p>

		Source Documentation: (9) (34)
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The subject parcel is not located within a 100-year floodplain (Zones A or V) or 500-year floodplain (Zone B) identified on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM).</p> <p>The project is not located in a Flood Zone. The area is a Flood Hazard Area Designation Zone D: The Zone D designation is used for areas where there are possible, but undetermined flood hazards, as no analysis of flood hazards has been conducted. The designation of Zone D is also used when a community incorporates portions of another community's area where no map has been prepared. Flood insurance is available in Zone D, and property owners should be encouraged to purchase it. However, flood insurance is not federally required by lenders for loans on properties in these zones.</p> <p>Source Documentation: (12)</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Evans & De Shazo, Inc. (EDS) was contracted by MidPen Housing Corporation to complete a Historic Resource Evaluation (HRE) and an Archaeological Study for the proposed project within the 1.01-acre property located at 1710 Moorpark Avenue, San Jose (APN) 282-44-027 (Project Area). The 1.01-acre property contains two buildings, 1953 Immanuel Lutheran Church building (1953 building) and the 1964 Immanuel Lutheran Church building (1964 building), situated adjacent to the 1953 building. The proposed Project includes the demolition of the 1953 building, and the construction of a five-story building as well as associated infrastructure and landscaping.</p> <p>The Project is subject to review under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) due to the use of federal funds for development of the Project. The purpose of the Archaeological Study and HRE was to determine if the proposed Project will impact any archaeological resources or built environment historic resources that meet the definition of an historic property, as defined by the NHPA as 'cultural resources' that are listed, or determined eligible for listing, on the National Register of Historic Places (NRHP). The HRE was completed by EDS Principal Architectural Historian, who meets the Secretary of Interior's</p>

	<p>professional qualification standards in Architectural History and History.</p> <p>Two Areas of Potential Effect (APE) were established for the Project that include a Direct APE, which is the 1.01-acre Project Area that contains two buildings, including the 1953 building and the 1964 building, and an Indirect APE, which consists of one adjacent parcel that contains the ca. 1963 Crossroads Bible Church building (ca. 1963 building) at 1670 Moorpark Avenue (APN 282-44-005). All three buildings are at least 50 years in age and were subject to evaluation following the NRHP criteria to determine if any of them meet the definition of a historic property, as defined by the NHPA, in order to assess potential direct or indirect effects to historic properties. The buildings were also documented on Department of Parks and Recreation (DPR) 523 forms as part of the evaluation.</p> <p>The HRE determined that the 1964 building within the Direct APE appears eligible for listing in the NRHP. As such, EDS completed an assessment of effects, and determined that the Project would not cause an adverse effect to the Historic Property. As such, no recommendations are warranted at this time.</p> <p>An Archaeological Study was completed by EDS Principal Archaeologist, Sally Evans, M.A., RPA (#29300590) who exceeds the Secretary of Interior's professional qualification standards in Archaeology and History. The methods used to complete the Archaeological Study included a record search and review, a Sacred Lands Inventory and Tribal Consultation, and a field survey.</p> <p>The Archaeological Study did not result in the identification of any archaeological resources having the potential to meet the criteria of a historic property under Section 106 of the NHPA. Furthermore, the Project Area appears to have a low potential to contain buried historic-period archaeological resources and a low to moderate potential to contain buried prehistoric archaeological resources. Based on the findings of the Archaeological Study, no Project-specific recommendations are warranted at this time; however, general recommendations are provided in the event of a post-review discovery of archaeological resources within the Project Area during Project-related, earth-disturbing activities. The State Historic Preservation Officer has concurred with the City's determination of no significant effect.</p> <p><i>Mitigations Required</i></p>
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		Source Documentation: (1) (35) (36) (37)
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The project is estimated to generate 407 daily vehicle trips, including 22 vehicle trips in the AM peak hour and 29 vehicle trips in the PM peak hour. Community noise levels will not be significantly affected by the development. The only noise anticipated is that from the normal automobile traffic generated from the project.</p> <p>The project would increase the density of residential uses on the project site resulting in an incremental increase in traffic volumes. The project area is exposed to noise from vehicles traveling on Moorpark Avenue and I-280. Existing traffic volumes on these roadways are high. Typically, roadway traffic volumes must double to result in a noticeable (i.e., 3 dBA) noise increase. Existing roadway volumes in the project area would not double as a result of project-generated traffic. Therefore, roadway noise levels would not increase perceptibly (i.e., 3 dBA or more), and project-generated traffic would not result in an adverse noise impact.</p> <p>Operations are not expected to generate noise levels that would be considered adverse in terms of existing or future noise levels in the area. Future noise levels in the project vicinity will continue to result from local transportation-related noise sources. Operational noise generated by the proposed project would be the result of vehicles traveling to and from the site, and the project rooftop heating, ventilation, and air conditioning (HVAC) equipment. The project HVAC system would be reviewed by City Staff to verify that the noise generated by the HVAC system would not exceed 55 dBA Leq and 60 dBA Leq at residential and commercial property lines, respectively.</p> <p>Construction of the proposed project would generate noise and would temporarily increase noise levels at nearby commercial and residential uses. Construction activities generate considerable amounts of noise, especially during the construction of project infrastructure when heavy equipment is used. Construction noise impacts are greatest when construction occurs during noise-sensitive times of the day (early morning, evening, or nighttime hours), when the construction occurs in areas immediately adjoining noise-sensitive land uses, or when the duration of construction extends for a long period of time. Construction of the proposed project would take approximately six months to complete. Because the duration of substantial noise-generating</p>

		<p>activities would be less than 12 months, and the project includes measures to reduce construction noise required by Standard Permit Conditions, the construction noise impact is not considered adverse.</p> <p>Short-term vibration noise would be generated during project construction. The use of heavy equipment or impact tools (e.g., jackhammers, hoe rams) could generate vibration levels that exceed the City's criteria. The implementation of the measures required by Standard Permit Conditions would reduce construction vibration impacts to a less than adverse level.</p> <p>Implementation of the proposed project would not result in excessive noise impacts to existing sensitive land uses and future residents on the project site. Future construction activities, including grading and excavation, would require the use of vibration-generating heavy equipment. Future redevelopment would comply with all City construction standards and requirements to ensure that construction-related vibration is not substantial. In addition, due to the type of development anticipated and required setbacks specified in the Envision San José 2040 General Plan and Municipal Code, operation of the anticipated development would not generate a substantial level of groundborne vibration or noise to the surrounding land uses.</p> <p>Source Documentation: (9) (17) (38) (39)</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project activities do not affect a sole source aquifer, as there are no aquifers subject to a MOU between EPA and HUD in San José.</p> <p>Source Documentation: (40) (41)</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The site does not appear on the National Wetlands Inventory database. The site does not contain any on-site wetlands or jurisdictional waters.</p> <p>No further consultations are required.</p> <p>Source Documentation: (9) (28)</p>
<p>Wild and Scenic Rivers</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>No wild and scenic rivers are located within San José.</p>

Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)		Source Documentation: (42) (43)
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project would not raise environmental justice issues and has no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations. The project is suitable for its proposed use.</p> <p>The project would provide 106 affordable housing units, thus providing benefits to an environmental justice population. By providing new affordable housing, the project would provide housing to the existing and possibly expanded environmental justice population of the area. As analyzed in this EA, the project is not anticipated to result in adverse impacts that would create permanent adverse effects in the project area. This Environmental Justice analysis further considers project impacts and their potential to disproportionately affect the project's introduced environmental justice population.</p> <p>Summary of Project Impacts</p> <p>From consideration of regulatory factors in this EA, a number of environmental topics were identified to generate potential effects requiring mitigation. However, impacts would be shared by neighboring non-environmental justice populations, thus the following impacts along with their mitigations, summarized below, do not represent impacts with the potential to disproportionately affect an environmental justice population.</p> <p>Air Quality: While construction and operation of the project would result in criteria pollutant emissions at less-than-significant levels with respect to BAAQMD's thresholds of significance, construction would result in fugitive dust. However, through implementation of the BAAQMD's Best Management Practices, measures to control fugitive dust would be implemented to ensure that construction projects do not result in fugitive dust. This mitigatable project impact to air quality does not represent an impact to an environmental justice population.</p> <p>Contamination and Toxic Substances: Based on the conditions of the project site, project construction would be completed as proposed without impacts from contamination or toxic substances. However, because it is possible that construction-related ground</p>

	<p>disturbing activity could encounter hazardous materials, mitigation measures are required. These mitigatable project impacts to contamination and toxic substances does not represent an impact to an environmental justice population.</p> <p>Construction Noise: The project would also introduce short-term noise during construction activities. The nearest existing sensitive land uses to the project area are residential buildings located approximately 100 feet east of the project site.</p> <p>Operational Noise and HUD Noise Standards: HUD DNL Calculator estimates that exterior noise levels at the project site would be within HUD's "unacceptable" range, thus indicating low-income residents housed within the new building could be exposed to excess noise. However, since the project would need to comply with Title 24 of the California Code of Regulations which establishes noise insulation standards, interior noises levels would meet interior noise goals of HUD and the State of California. As such, there is no potential for excess exterior noise to impact an environmental justice population.</p> <p>Conclusion</p> <p>Overall, the project is not anticipated to result in adverse impacts that would create permanent adverse effects in the project area to existing populations, or to an introduced environmental justice population. Construction of housing for affordable family units would result in a beneficial impact by providing housing for low-income populations.</p> <p>Source Documentation: (44)</p>
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<p>Conformance with Plans/Compatible Land Use and Zoning/Scale and Urban Design</p>	<p>1</p>	<p>Conformance with Plans: The Envision San José 2040 General Plan land use designation for this property is Public/Quasi-Public. This category is used to designate public land uses, including schools, colleges, corporation yards, homeless shelters, libraries, fire stations, water treatment facilities, convention centers and auditoriums, museums, governmental offices, and airports. Private community gathering facilities, including those used for religious assembly or other comparable assembly activity, are also appropriate on lands with this designation. The appropriate intensity of development can vary considerably depending on potential impacts on surrounding uses and the particular Public/Quasi- Public use developed on the site. The project proposes a density of 153 DU/AC and an FAR of 2.63.</p> <p>The proposed project is consistent with the following goals and policies of the Envision San José 2040 General Plan:</p> <p>Goal H-1 Housing – Social Equity and Diversity: Provide housing throughout our City in a range of residential densities, especially at higher densities, and product types, including rental and for-sale housing, to address the needs of an economically, demographically, and culturally diverse population.</p> <p>VN-1.1: Maintain existing and develop new community services and gathering spaces that allow for increased social interaction of neighbors (i.e., parks, community centers and gardens, libraries, schools, commercial areas, churches, and other gathering spaces).</p> <p>AH-2.7: Support strategies in collaboration with other jurisdictions and agencies to end homelessness by creating permanent housing solutions combined with services such as medical, education, and job placement.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>The project is consistent with this designation as it would provide permanent supportive housing to chronically homeless individuals, coupled with services. The project would also maintain space for the adjacent church to use.</p> <p>Additionally, the layout and design of the proposed project does not include any features that would physically divide the surrounding community.</p> <p>Zoning Consistency: The site is in the PQP Public/Quasi-Public Zoning District. This district provides for public serving uses, and can accommodate private schools, daycare centers, and residential service facilities. Please note that while the use is enumerated as a Residential Service Facility, it is defined in the Zoning Ordinance as Supportive Housing:</p> <p>20.200.1265 – Permanent Supportive housing: “Permanent Supportive housing” means housing with no limit on length of stay and that is occupied by a target population as defined in subdivision (f) of Section 65582 of the California Government Code, as the same may be renumbered or amended from time to time, and that is linked to onsite or offsite services that assist supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live and, when possible, work in the residents' community. Supportive housing shall be treated under this title as a residential use and shall be allowed in residential, commercial, public/quasi-public, and the downtown zoning districts in the same fashion as a residential care facility or a residential service facility. The project is generally consistent with the Zoning designation for the subject site based on San José Municipal Code §20.30.100 and the project description.</p> <p>Surrounding Uses: The proposed residential project is compatible with the surrounding uses: institutional, residential, and commercial.</p> <p>Scale and Urban Design: The project proposes to develop a four-story type V-A over a one story Type I-A building, 108-unit, residential building. Construction of the proposed project would result in a visual change, while simultaneously respecting the overall scale and urban grain of the neighborhood. There is no predominant architectural character in the vicinity as it is made up of Highway 280, single-family residences, senior housing, church buildings, and apartments.</p> <p>Source Documentation: (9) (26) (45) (46) (47)</p>
Soil Suitability/ Slope/Erosion/	3	<p>Soil Suitability</p> <p>The project site is relatively flat at an elevation of about 125 feet above mean sea level (msl). The project site is not located in an Alquist-Priolo Earthquake</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<p>Drainage/Storm Water Runoff</p>		<p>Fault Zone. There are no known faults at the project site. Therefore, ground rupture on the site is unlikely. The site is not located within a seismic hazard zone designated for liquefaction. According to the California Geological Survey, the project site is not located within a State of California Seismic Hazard Zone for earthquake-induced landslides.</p> <p>Stevens, Ferrone & Bailey Engineering Company, Inc. (Stevens) prepared a Geotechnical Investigation for the site in November 2019. It is the opinion of Stevens that the site is suitable for the proposed project from a geotechnical engineering standpoint. In January 2020, Stevens issued an updated report providing updated seismic design parameters per the 2019 California Building Code (CBC) to be applied to the project. The conclusions and recommendations presented in their reports should be incorporated in the design and construction of the project to reduce soil or foundation related issues.</p> <p>All future redevelopment allowed by the proposed land use designation would be subject to the geology and soil policies listed in the City's Envision San José 2040 General Plan, the City of San José Municipal Code, which includes the current California Building, Plumbing, Mechanical, Electrical, Existing Building, and Historical Building Codes.</p> <p>Building design and construction at the site would be completed in conformance with the recommendations of a design-level geotechnical investigation, which would be included in a report to be approved by the City.</p> <p>Erosion</p> <p>Although the project site is flat, ground disturbance during construction of the proposed project would expose soils increasing the potential for erosion at the site. The proposed project includes measures identified in Standard Permit Conditions, implementation of which would serve to prevent an adverse impact. The City of San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality while a site is under construction. Prior to issuance of a permit for grading activity occurring during the rainy season (October 15 to April 15), the applicant is required to submit an Erosion Control Plan to the Director of Public Works for review and approval. The Plan must detail the Best Management Practices that would be implemented to prevent the discard of stormwater pollutants.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>Drainage/Storm Water Runoff</p> <p>The 0.07-acre project site is located in the Guadalupe watershed. Runoff from the project site and the surrounding area enters the City’s storm drainage system, which outfalls to Los Gatos Creek. Under existing conditions, runoff from the site contains sediment, metals, trash, oils, and grease from paved areas of the site.</p> <p>This project must comply with the City’s Post-Construction Urban Runoff Management Policy (Policy 6-29), which requires implementation of Best Management Practices (BMPs) which includes site design measures, source controls and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges.</p> <p>Development of the site would comply with the MRP and City of San José Policy 6-29, which would remove pollutants and reduce the rate and volume of runoff from the project site to levels that are at or below existing conditions. For these reasons, redevelopment of the project site would improve the water quality of runoff from the site and would not exceed the capacity of the existing storm drainage system serving the project site</p> <p>Construction-related and operational water quality impacts would not be adverse.</p> <p>Source Documentation: (9) (48) (49) (50) (26) (29) (51) (52) (53)</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>3</p>	<p>Site Safety</p> <p>The project would not create a risk of explosion, release of hazardous substances or other dangers to public health.</p> <p>Regional Seismicity: See discussion above in Soil Suitability</p> <p>Noise</p> <p>HUD environmental noise regulations (24CFR Part 51B) establish the following exterior noise standards for new housing construction: 65 dBA DNL or less - acceptable; exceeding 65 dBA DNL but not exceeding 75 dBA DNL - normally unacceptable; exceeding 75 dBA DNL - unacceptable. The standards also apply “...at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site.” A goal of 45 dBA DNL is set forth for interior noise levels.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>AEM Consulting calculated the Day/Night Noise Level (DNL) using the prescribed HUD Electronic Assessment Tool (Calculator). The Calculator returned an exterior noise level of 77 dBA DNL. Development in an area with a DNL of 77 is considered unacceptable by HUD and preparation of an Environmental Impact Statement (EIS) would be required. The EIS requirement can be waived if noise is the only environmental issue and there are no outdoor noise-sensitive uses. Noise attenuation measures in Unacceptable Noise Zones require the approval of the Assistant Secretary for Community Planning and Development, or the Certifying Officer.</p> <p>Illingworth & Rodkin, Inc. (Illingworth) conducted an Environmental Noise Assessment for the project in September 2019.</p> <p>Illingworth calculated the existing 70 dBA and 65 dBA DNL noise contours in areas with a clear line of sight to traffic on Moorpark Avenue to, respectively, be 120 feet and 285 feet from the roadway centerline.</p> <p>The future noise exposure at the project’s northern facades are calculated to reach a DNL of 76 dBA at 50 feet from the centerline of Moorpark Avenue. Considering this, the future 70 dBA and 65 dBA DNL noise contours in areas with a clear line of sight to traffic on Moorpark Avenue will, respectively, be 145 feet and 345 feet from the roadway centerline.</p> <p>The project’s outdoor common use area would be on a podium (2nd) level terrace, which would be shielded from environmental noise by the project’s 4-story structures to the north, east and west. Based on the barrier effect of the project structures, exterior noise levels in the common use terrace area are expected to less than 60 dBA DNL. This meets the City of San José General Plan and State exterior noise level objective of 60 dBA DNL and the HUD noise compatibility criteria of 65 dBA DNL or less.</p> <p>Residential units on the project’s northern façade immediately adjacent to Moorpark Avenue would be exposed to future exterior noise levels of 76 dBA DNL, while units further south along the western Leigh Avenue and eastern Richmond Avenue project frontages would be exposed to future exterior noise levels of 67 dBA to 74 dBA DNL.</p> <p>The predicted exterior noise level at the northern project facades would be considered “Unacceptable” for residential use, and the exterior noise levels at the western and eastern project facades would be considered “Conditionally Acceptable” for residential use by the City of San José Noise. The DNL at all</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>residences which do not have any windows with roadway views and face the interior common use terrace would be exposed to a future DNL of 60 dBA or less.</p> <p>Interior Noise Mitigation</p> <p>A detailed analysis of the noise-reduction requirements at project facades was conducted to determine whether feasible noise mitigation can be developed to meet the City, State, and HUD interior noise level standard of 45 dBA DNL within project residences. Illingworth determined that with appropriate attenuation measures, interior noise levels would be reduced to levels considered acceptable by HUD and the City of San José. These attenuation measures are discussed in the Illingworth report and are incorporated to this EA as required mitigation measures.</p> <p>A Noise Waiver is required.</p> <p>Source Documentation: (9) (54) (55) (50) (26) (56) (57) (58) (59)</p>
Energy Consumption	3	<p>Consistent with the City's Private Sector Green Building Policy 6-32 for projects with 10 residential units or more (with a height of less than 75 feet), the proposed project would be designed to achieve a minimum GreenPoint Rated 50 points or would be Leadership in Energy and Environmental Design (LEED)-certified. The LEED certification (administered by the U.S. Green Building Council) or GreenPoint Rated 50 points would be met by incorporating a variety of design features including community design and planning, site design, landscape design, building envelope performance, and material selections. The project will be developed in accordance with the City's Green Building Policies, which requires new construction and rehabilitation of existing buildings fully implement industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.</p> <p>Source Documentation: (9) (60)</p>
SOCIOECONOMIC		
Employment and Income Patterns	2	<p>The project would not provide employment, except for short-term construction-related jobs. The project is transit-oriented by design and would provide affordable housing for individuals and families.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>The City of San José population was estimated to be approximately 1,046,080, with a total of 332,575 housing units in January 2017. The City has approximately 415,000 jobs and 468,100 employed residents. Based on the City's General Plan, the projected population in 2035 would be 1.3 million persons occupying 429,350 households. The future development of approximately 108 residential units would increase the housing available on the site, but would not induce substantial population growth in the area. At 108 units, impacts to employment and income patterns are expected to not be adverse.</p> <p>Source Documentation: (9) (26)</p>
<p>Demographic Character Changes, Displacement</p>	<p>3</p>	<p>Demographic Character Changes</p> <p>At 108 units, the project is not anticipated to induce substantial growth in population in the area. The project would help to address the need for housing projected in the Regional Housing Needs Allocation.</p> <p>Based on guidelines provided by HUD, the maximum number of residents appropriate to multi-family unit dwellings is two persons per bedroom, plus one per unit. The proposed project would provide 2 two-bedroom units and 106 studio units. To consider the maximum number of persons the project could accommodate, HUD guidelines for the maximum number of residents would be used. Accordingly, the proposed project would provide housing for, at most, 225 people. For the purposes of this analysis, a population of 225 people is assumed. The population of the City of San José was 1,023,083 in 2010, so the additional 225 people would represent 0.020 percent of that population. This increase has been accounted for in Envision San José 2040 General Plan.</p> <p>The proposed project would not significantly alter the racial, ethnic, or income segregation of the area's housing. It would not result in physical barriers or difficult access which would isolate a particular neighborhood or population group, making access to local services, facilities, and institutions or other parts of the city more difficult. The proposed project at this site does not create a concentration of low-income or disadvantaged people, in violation of HUD site and neighborhood standards and HUD Environmental Justice policies.</p> <p>Displacement</p> <p>The Uniform Relocation Act (URA), passed by Congress in 1970, establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes,</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>businesses, or farms. The Uniform Act's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects.</p> <p>Section 205 of the URA requires that, "Programs or projects undertaken by a federal agency or with federal financial assistance shall be planned in a manner that (1) recognizes, at an early stage in the planning of such programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and (2) provides for the resolution of such problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion."</p> <p>The proposed project would remove an existing church building located on the project site; however, this is not considered displacement of a substantial number of housing units or people. The proposed project would construct a 108-unit residential building on the project site where there is currently no housing; therefore, the project would not necessitate the construction of replacement housing. A portion of the new building would contain a 2,000 square-foot community serving space that would be leased to the church, which would serve as a replacement for the demolished church building.</p> <p>A conforming relocation plan is required, and has been prepared.</p> <p>Source Documentation: (61) (62) (63)</p>
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	<p>Educational Facilities</p> <p>The project by its definition is to develop 106 units of supportive housing with at most a population of 225 people. It is unlikely that school-aged children would be housed in any significant number at the proposed site considering the size of the units and the supportive nature of the housing.</p> <p>The project site is located in the San José Unified School District (SJUSD). SJUSD includes 41 schools (25 elementary, two K-8 schools, six middle, six high schools and two alternative education programs) serving over 30,000 students in the pre-Kindergarten through 12th grades. The project site is within the Trace Elementary (Serving grades K-5) at 651 Dana Avenue (1.24 miles); Hoover Middle (Serving grades 6-8) at 1635 Park (2.08 miles); and Lincoln High (Serving grades 9-12) at 555 Dana Avenue (1.61 miles) districts.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>According to the SJUSD student generation factors, multi-family residential development generates 0.238 K-12 students per dwelling unit.</p> <p>Development of the proposed project would, at most, incrementally increase the number of students in the project area. Based on a student generation rate of 0.238 K-12 students per unit, the proposed project could increase the student population in the project area by 25 new students. The project would mitigate its impact on local schools through compliance with state law (Government Code Section 65996), including payment of school impact fees. Impact is not adverse.</p> <p>For older residents' needs, the project site is adjacent to San José Community College.</p> <p>Libraries</p> <p>The San José Public Library System consists of one main library, Dr. Martin Luther King Jr. Library and 23 branch libraries. Bascom Branch Library at 1000 South Bascom Avenue, is less than one mile away. Development approved under the Envision San José 2040 General Plan is projected to increase the City's residential population to 1,313,811. The existing and planned library facilities in the City will provide approximately 0.68 square feet of library space per capita for the anticipated population, under buildout of the Envision San José 2040 General Plan by the year 2035, which is above the City's service goal. Although the proposed project would incrementally increase residential development and population growth, redevelopment of the project site would not substantially increase use of San José library facilities or otherwise require the construction of new library facilities.</p> <p>Source Documentation: (7) (64) (65) (26)</p>
Commercial Facilities	1	<p>The area surrounding the project site is a mix of residential and commercial sites and public uses. The project site and neighborhood conditions indicate stable though not flourishing, economic activity. A retail hub consisting of a variety of shops is half a mile away on San Carlos Avenue. The Safeway Grocery store on Stevens Creek Boulevard is 1.9 miles from the project site and is accessible by foot, auto or public transportation. The additional residents would not constitute a significant impact on the demand for commercial facilities in the area and there are adequate commercial facilities to accommodate residents' needs.</p> <p>Source Documentation: (1) (9) (7)</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
Health Care and Social Services	2	<p>Health Care</p> <p>Local health facilities include the following:</p> <ul style="list-style-type: none"> • Santa Clara Valley Medical Center at 751 S. Bascom Avenue • El Camino Hospital Los Gatos • Good Samaritan Hospital • Kaiser Permanente San José Medical Center • O'Connor Hospital • Regional Medical Center of San José • San José Medical Center • Sequoia Hospital • Santa Clara County Behavioral Health Services Department <p>The County of Santa Clara Public Health Department works to prevent disease and injury, promote healthy lifestyles, create healthy environments, and advocate for policy and systems changes that advance department priorities.</p> <p>There are no adverse impacts to healthcare facilities or delivery systems anticipated as a result of the proposed project and there are adequate medical facilities to accommodate the residents.</p> <p>Social Services</p> <p>The closest Santa Clara County Social Services Agency office to the project site is located at 1867 Senter Road and is accessible by Bus Route 73. Among other services the agency provides Financial Assistance, Food Assistance, and referrals for Medical Assistance. The Agency provides services for children and families, the elderly, disabled adults, and veterans. Services include food assistance, medical and health, employment, training, housing services, and financial assistance. Supportive services provided include childcare, transportation, mental health, alcohol and drug addiction treatment, and Social Security Insurance advocacy.</p> <p>The project does not represent a significant change to the demographics of the area or on area social services as it serves the existing population. Implementation of the project represents a less than significant impact to social services.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		Source Documentation: (7) (66)
Solid Waste Disposal/Recycling	3	<p>Santa Clara County’s Integrated Waste Management Plan (IWMP) was approved by the California Integrated Waste Management Board in 1996 and was reviewed in 2004, 2007, and 2011. Each jurisdiction in the County has a landfill diversion requirement of 50 percent per year. According to the IWMP, the County has adequate disposal capacity beyond 2026.</p> <p>Solid waste generated within the County is landfilled at Guadalupe Mines, Kirby Canyon, Newby Island, Zanker Road Materials Processing Facility, and Zanker Road landfills.</p> <p>The City of San José has an existing contract with Newby Island Sanitary Landfill (NISL) through December 31, 2020, with the option to extend the contract as long as the landfill is open (until 2041). The City has an annual disposal allocation for 395,000 tons per year. As of October 31, 2014, NISL had approximately 21.2 million cubic yards of capacity remaining</p> <p>According to the General Plan EIR, planned growth under the Envision San José 2040 General Plan could increase the amount of solid waste sent to landfills by approximately 571,500 tons per year through 2035, using current generation rates. This estimate represents the upper limit of potential landfilling needs, given that disposal rates will likely continue to decrease overtime. Based on the upper limit, the existing landfills in San José would have sufficient permitted capacity of 5.3 million tons per year to receive the additional waste generated by new development in the City. Without additional waste reduction, however, local landfills could reach actual capacity by 2025.</p> <p>The City intends to extend the lifespan of existing landfills through implementation of the Zero Waste Strategic Plan, which supports the City’s goal of 100 percent diversion by 2022. Under the Zero Waste Strategic Plan, the City will utilize techniques such as source reduction, reuse, and composting. Compliance with the CALGreen Code and CARB’s Mandatory Commercial Recycling Measure would complement local efforts and further reduce demand for landfill facilities. As redevelopment proceeds and diversion rates increase over time, the City will ensure adequate landfill capacity through monitoring the availability of collection, transfer, recycling, disposal, and waste processing services, periodically assessing infrastructure needs, and working with Materials Recovery Facilities (MRF) and landfill operators to expand capacity as needed (General Plan Policies IN-5.1, IN-5.4, and IN-5.15). With implementation of General Plan policies and the Zero Waste Strategic Plan, the 2040 Envision EIR concluded that solid waste generated by future development under the 2040</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>General Plan would not exceed the permitted or actual capacity of existing landfills.</p> <p>Development of the proposed project will be required to comply with existing local and state programs and regulations. For example, in accordance with the current CALGreen Code, specific projects are required to provide on-site recycling facilities, develop a construction waste management plan, salvage at least 50 percent of nonhazardous construction/demolition debris (by weight), and implement other waste reduction measures. With implementation of the existing programs, state regulations, General Plan policies, and the City's Zero Waste Strategic Plan the proposed project would not result in a significant impact related to the provision of solid waste services.</p> <p>Source Documentation: (26) (67) (68)</p>
Wastewater/Sanitary Sewers	3	<p>Wastewater/Sanitary Sewer System</p> <p>Wastewater from the project area is treated at the San José/Santa Clara Regional Wastewater Facility (RWF) in Alviso. The RWF is the largest tertiary treatment plant in the western United States with a capacity to treat 167 million gallons per day (mgd) of sewage during dry weather flow. On average, the RWF treats 110 mgd of wastewater. The resulting fresh water is discharged from the RWF into the San Francisco Bay or delivered to the South Bay Water Recycling Project for distribution.</p> <p>The City of San José generates approximately 69.8 mgd of dry weather sewage flow. The City's share of the RWF treatment capacity is 108.6 mgd, which leaves the City with approximately 38.8 mgd of excess treatment capacity.</p> <p>Sanitary sewer lines in the project area are inspected and maintained by the City of San José Department of Transportation, and rehabilitated and replaced by the Department of Public Works.</p> <p>The proposed development's utilities would connect to the City's existing utilities (e.g., sewer system) and would not require septic tanks or alternative wastewater disposal systems. The project would not impact site's soils by the use of septic tanks or alternative wastewater disposal systems.</p> <p>According to the General Plan EIR, development under the 2040 General Plan is estimated to generate approximately 30.8 mgd of average dry weather influent flow. Given that the City has approximately 38.8 mgd of excess treatment capacity, planned growth in San José is not expected to exceed the City's allotted</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>capacity. For these reasons, future development, including the current project, would not require new or expanded wastewater treatment capacity.</p> <p>Source Documentation: (69) (26) (70) (71) (72)</p>
Water Supply	3	<p>Water Service and Supply</p> <p>Water service to the project site is provided by the San José Water Company. Based on SJWC's 2010 Water Supply Assessment completed for the City's 2040 General Plan, the water demand generated by employees and residents in the City is approximately 128 gallons per day (gpd) and 78 gpd, respectively.</p> <p>The proposed 108-unit residential building is estimated to have a water demand of ranging from 8,424 to 17,550 gallons per day, depending upon the number of residents and assuming 78 gpd per resident.</p> <p>Based on the long range water supply planning completed as part of the 2040 Envision San José 2040 General Plan, it can be concluded that implementation of water conservation/efficiency measures and use of recycled water would minimize long-term potable water demand generated by future users.</p> <p>Adequate water supply refers to the delivery to a project site of sufficient quantities of potable water under adequate pressure at affordable cost. Water planning based on forecast population growth. The addition of 108 units as a result of the proposed project would be consistent with Citywide growth, and therefore, the project demand for water is not anticipated to require new water supply entitlements and/or the expansion of new water treatment facilities beyond those already considered in Environmental Impact Report for the Envision San José 2040 General Plan.</p> <p>Source Documentation: (4) (73) (26) (74)</p>
Public Safety - Police, Fire and Emergency Medical	2	<p>Police</p> <p>Police protection services in the project area are provided by the City of San José Police Department (SJPD). The SJPD employs approximately 900 sworn police officers. Patrolling officers are dispatched from police headquarters, located at 201 West Mission Street, approximately 4.0 miles northeast of the project site. It is within the Western Police Division which includes 4 police patrol districts totaling approximately 28 square miles. Residents and visitors to Western Division call for police response an average of 7,986 times a month.</p> <p>While project development would incrementally increase the demand for public services, development in compliance with General Plan and applicable</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>regulations related to reducing impacts on police service, would not result in adverse impacts to services.</p> <p>Implementation of the proposed project would intensify the use of the site and generate additional residents in the area, which would incrementally increase the demand for fire and police protection services compared to existing conditions. The project site, however, is currently served by both the SJFD and SJPD and the amount of proposed development represents a small fraction of the total growth identified in the General Plan. The project, by itself, would not preclude the SJFD and/or SJPD from meeting their service goals and would not require the construction of new or expanded fire or police facilities.</p> <p>Fire and Emergency Medical</p> <p>Fire protection services in the project area are provided by the City of San José Fire Department (SJFD). The SJFD responds to approximately 74,000 calls for service each year, including all fires, hazardous material spills, and medical emergencies, from 33 fire stations around the City. The fire station closest to the project site is San José Fire Station 4, at 710 Leigh Ave., approximately 0.2 miles from the project site. Average turnout time for fire and medical is 1 minute 26 seconds, and 1 minute 23 seconds, respectively.</p> <p>Project development would incrementally increase demand for fire protection services; however, this increased demand is not anticipated to require the construction of new fire stations, other than those already planned.</p> <p>Implementation of the proposed project would intensify the use of the site and generate additional residents in the area, which would incrementally increase the demand for fire compared to existing conditions. The project site, however, is currently served by the SJFD and the amount of proposed development represents a small fraction of the total growth identified in the General Plan. The project, by itself, would not preclude the SJFD, from meeting their service goals and would not require the construction of new or expanded fire or police facilities.</p> <p>The project would have a significant impact if it would exceed the ability of fire and emergency medical providers to adequately serve the existing and future residents and require new or expanded facilities. Planned projects such as this one would incrementally increase service needs, but the impact would not be adverse.</p> <p>Source Documentation: (26) (75) (76)</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
Parks, Open Space and Recreation	2	<p>The project site has numerous parks and recreational opportunities nearby. The City of San José owns and maintains approximately 3,435 acres of parkland, including neighborhood parks, community parks, and regional parks. The City also manages community centers, 18 community gardens, and five pool facilities. Other recreational facilities include six public skate parks and over 54 miles of interconnected trails.</p> <p>The closest public park (within one mile) is Saint Elizabeth Park. Planned facilities in the vicinity include Reachs 2 and 3 of the Los Gatos Creek Trail. The closest community center is Bascom Community Center at 1000 S Bascom Avenue (1 mile).</p> <p>The City's PDO and the PIO requires new residential development to provide 3.0 acres of neighborhood/community serving parkland per 1,000 population San José residents, either through dedication of parkland to serve new residents, or pay fees to offset the increased costs of providing new park facilities for new development.</p> <p>The project would include approximately 225 residents, and incremental impacts to parks and recreational facilities from the proposed project could result from increased demand and use of the facilities.</p> <p>The proposed project also includes a podium level courtyard with lounge and dining areas. The use of this recreational area by residents would reduce the project's demand on parkland and recreational facilities. The project represents an incremental demand for recreational facilities, therefore, impacts are considered not adverse. There are sufficient recreational facilities within a reasonable distance to accommodate the residents' needs.</p> <p>Source Documentation: (9) (7) (26)</p>
Transportation and Accessibility	3	<p>Regional access to the project site is provided by I-280. Local site access is provided by Moorpark and Leigh Avenues. Moorpark Avenue provides direct access to the project site. Leigh Avenue is also a minor arterial street.</p> <p>A complete network of sidewalks exists in the immediate vicinity of the project site. Crosswalks with pedestrian signal heads are provided at the intersections near the project site. The existing network of sidewalks and crosswalks has good connectivity and provides pedestrians with safe routes to transit services and other points of interest.</p> <p>Bay Area Rapid Transit connects San Francisco with cities in the East Bay and suburbs in the Bay Area. BART is currently building an extension to San José. The</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>line will eventually veer west through downtown San José, meeting Caltrain at Diridon Station before heading into Santa Clara.</p> <p>The Valley Transportation Authority (VTA) operates local bus routes and one LRT lines within the project vicinity. The VTA bus routes with stops near the project site are Routes 61, 25, 23 and 523. The project site is approximately 2,400 feet from the VTA Fruitdale Light Rail Station.</p> <p>The San José Diridon Station is located along the Mountain View-Winchester LRT line, approximately 2 miles northeast of the project site, and is served by Caltrain, Altamont Commuter Express (ACE), and Amtrak. The Diridon Station provides bike racks and lockers.</p> <p>Caltrain Service is a regional, intercity commuter rail service between San Francisco and Gilroy. Caltrain provides service with approximately 20- to 30-minute headways during the weekday AM and PM commute hours.</p> <p>Altamont Commuter Express (ACE) Service provides commuter rail service between Stockton, Tracy, Pleasanton, and San José, during weekday commute hours. Service is provided by four westbound trips in the morning and four eastbound trips in the afternoon/evening, with headways averaging 60 minutes.</p> <p>Amtrak provides daily commuter passenger train service along the 170-mile Capitol Corridor between the Sacramento region and the Bay Area.</p> <p>Vehicle trips generated by the project were estimated using the trip rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition (2017) and in collaboration with the City of San Jose staff. Trips for the supportive housing units were estimated using the "Senior Adult Housing - Attached" (Land Use 252) category, and trips for the on-site manager units were estimated using the "Multifamily Housing - Low-Rise" (Land Use 220) category located in a general Urban/Suburban area.</p> <p>The project is estimated to generate 407 daily vehicle trips, including 22 vehicle trips in the AM peak hour and 29 vehicle trips in the PM peak hour. The proposed project is not expected to generate adverse traffic impacts at any of the surrounding intersections.</p> <p>Parking: A ground level parking garage would provide 37 vehicular parking spaces. The project would include 109 bicycle parking spaces.</p> <p>The project would not directly impact existing bicycle or transit facilities (e.g., result in the removal of a bike lane or transit stop). The project would not conflict with adopted policies, plans, or programs regarding bicycle, transit, or pedestrian</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>facilities, or decrease the performance or safety of such facilities. Implementation of the proposed project would not result in adverse transportation impacts and the existing facilities would adequately serve the project residents.</p> <p>Accessibility: The proposed new building would provide 106 affordable apartments units. All units would be adaptable to California Building Code Standards. All common areas and access to units would be ADA compliant for both residents and guests. Ten percent of the units (11) would be for persons with impaired mobility. Four percent of the units (5) would be for the hearing and visually impaired.</p> <p>Source Documentation: (9) (77) (16) (78) (79)</p>
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<p>There are no unique natural features or water resources on the site. The site is flat, rectangular, and the site contains asphalt paved parking areas and a building. The site contains no unique natural features.</p> <p>There are no water courses, creeks, streams, seasonal wetlands, or other water resources on the project site. There is no impact in this regard.</p> <p>Source Documentation: (9) (27)</p>
Vegetation, Wildlife	3	<p>The project would not impact special-status plants or animals as no suitable habitat exists on the site. .</p> <p>There are trees on the site, and therefore mitigation for nesting/migratory birds is required. Protection of trees, raptors and birds would be accomplished through implementation of Mitigation Measures discussed above in Endangered Species section of this Environmental Assessment.</p> <p>Source Documentation: (9)</p>
Other Factors	1	<p>The project would provide low-income, affordable housing and provide onsite services and programs for residents. The project would provide a safe, clean, and sanitary place for residents in a location convenient to public transportation and other amenities. The project would also provide ground floor commercial space. The proposed project is beneficial to both residents and the community.</p> <p>Source Documentation: (9)</p>

Additional Studies Performed:

See Source Documentation List

Field Inspection (Date and completed by):

September 13, 2019 and September 9, 2020 Site Visit by Cinnamon Crake, President, AEM Consulting

Source: (80)

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

See Source Documentation List

List of Permits Obtained:

None.

Public Outreach [24 CFR 50.23 & 58.43]:

The project results in a Finding of No Significant Impact (FONSI) which will be published in the newspaper and circulated to public agencies, interested parties, and landowners/occupants of parcels located within the project's Area of Potential Effects (APE). Information about where the public may find the Environmental Review Record pertinent the project will be included in the FONSI Notice.

Cumulative Impact Analysis [24 CFR 58.32]:

During the building permit stage, the project would be required to prepare a construction management plan that considers other construction projects in the immediate area. The City's Public Works Department would approve this plan. This process would ensure that cumulative impacts from construction activities would not be significant. The project during operation would not result in adverse effects on the environment and would not contribute to a cumulative impact. Based on the above, the project would not contribute to a significant cumulative impact.

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

The project has been approved under AB2162, which is a State law intended to increase the affordable and supportive housing supply in California. Projects coming in under this Assembly Bill are required to be ministerial. Therefore the project was approved before the need for NEPA analysis was determined.

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

The no action alternative would result in the site continuing in its existing, developed and underutilized state. Impacts to nearby residents due to construction noise and particulate matter (dust) would not occur. The site builds would continue to age and deteriorate. Without construction of the proposed project, the benefits associated with the affordable housing project would not occur.

Given the current property values in the City of San José, it is likely that another proposal to develop the site would be put forth. Any subsequent development would have to undergo separate environmental review. Temporary construction impacts would be similar to the proposed project. Subsequent development may propose market rate housing, thereby eliminating the housing opportunity at this site to serve the low-income population in the City.

Summary of Findings and Conclusions:

With implementation of the Standard Conditions of Approval/Mitigation measures, the project would not have any significant adverse effects.

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

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Where there are peculiar circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the Standard Conditions of Approval, mitigation measures have been identified to reduce the impact to *less than significant* levels.

Law, Authority, or Factor	Mitigation Measure
Air Quality	<p>AQ1. Include basic measures to control dust and exhaust during construction</p> <p>During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:</p> <ul style="list-style-type: none"> ● All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ● All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ● All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ● All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). ● All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. ● Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. ● All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be

	<p>checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <ul style="list-style-type: none"> • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations <p>AQ2. Selection of equipment during construction to minimize emissions. Such equipment selection would include the following:</p> <p>The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 60 percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:</p> <ul style="list-style-type: none"> • All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 interim engines. Where Tier 4 equipment is not available, exceptions could be made for equipment that includes CARB-certified Level 3 Diesel Particulate Filters or equivalent. Equipment that is electrically powered or uses non-diesel fuels would also meet this requirement. • Install electric line power during early construction phases to avoid use of diesel generators, compressors, and welders. <p>AQ3. Install air filtration in the entire project building. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors (i.e., residents), this ventilation system, whether mechanical or passive, shall filter all fresh air that would be circulated into the dwelling units.</p> <p>AQ4. The ventilation system shall be designed to keep the building at positive pressure when doors and windows are closed to reduce the intrusion of unfiltered outside air into the building.</p> <p>AQ5. As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.</p> <ul style="list-style-type: none"> • Ensure that the use agreement and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a
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	unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.
Contamination & Toxic Substances	<p>HZ1. The applicant shall adhere to the <i>Soil Cleanup Plan</i> prepared by AEI Consultants and dated July 10, 2020, or as directed by the City's Municipal Compliance Officer.</p> <p>HZ2. For Cal-OSHA Lead in Construction (CCR Title 8, Section 1532.1) compliance all paints are assumed to contain a quantifiable lead content. Contractors should either have historical exposure assessment data available or should conduct exposure assessments on representative employees working on the project. Tasks that are likely to create high lead exposure are abrasive blasting, flame torching, and mechanical grinding.</p> <p>HZ3. Lead Based Paint - The applicant shall retain a qualified lead-based paint contractor. The contractor shall prepare lead safe work practice guidance to be distributed to all workers or be supervised by a certified abatement supervisor. Caution shall be taken during demolition activities to prevent lead levels in generated airborne dust from painted surfaces (roof window caulking and paint) from exceeding the Permissible Exposure Limit (PEL) as required by California/OSHA, Title 8, CCR Construction Safety Orders for Lead, Section 1532.1. The contractor shall submit a report that all lead was handled as hazardous waste and disposed of at a proper hazardous waste facility. In addition, standard lead abatement treatment should be performed on all surfaces presumed to contain lead hazards. A licensed lead inspector, risk assessor or lead paint sampling technician shall perform a clearance evaluation to ensure that all lead-based paint has been removed. If the report indicates that further cleaning is required, the contractor shall reclean and reassess the areas until the clearance report indicates a clean site.</p> <p>HZ4. Asbestos in Structures - The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915- 25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p> <p>HZ4. Hazardous Materials Related to Construction - The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p>

	<p>a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction.</p> <p>b. Avoid overtopping construction equipment fuel gas tanks.</p> <p>c. During routine maintenance of construction equipment, properly contain and remove grease and oils.</p> <p>d. Properly dispose of discarded containers of fuels and other chemicals.</p> <p>e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and</p> <p>f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment.</p>
<p>Endangered Species Act</p>	<p>A tree removal permit is required from the City of San José for the removal of ordinance-sized trees.</p> <p>Nesting Raptors and Birds</p> <p>BIO-1: Pre-construction surveys for nesting raptors and other protected birds should be completed prior to any disturbances that occur during the nesting season to ensure that birds are not harmed, injured, or killed because of a project</p> <p>BIO-2 The project shall include measures to reduce nesting raptor impacts to a less than significant level. The following mitigation measure is consistent with those measures and will be implemented by the project:</p> <p>BIO-3 Tree removal and construction shall be scheduled to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st (inclusive). If avoidance of the nesting season is not possible, a qualified ornithologist shall complete a pre-construction survey to identify active raptor nests that may be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (February 1st through April 30th, inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31st, inclusive), unless a shorter pre-construction survey is determined to be appropriate based on the presence of a species with a shorter nesting period, such as Yellow Warblers, and as determined</p>

by the ornithologist. During this survey, the ornithologist will inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests. If an active nest is found in an area that will be disturbed by construction, the ornithologist shall designate a construction-free buffer zone (typically 250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW) to ensure that raptor and/or migratory bird nests will not be disturbed during project construction.

BIO-4 The project applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, prior to the issuance of any grading or building permit.

Roosting Bats

BIO-5 Pre-demolition surveys for roosting bats shall be completed by a qualified biologist no more than 30 days prior to any building demolition activities. If a colony of bats is found on the project site, and the project can be constructed without disturbance to the roosting colony, a qualified bat biologist shall designate buffer zones (both physical and temporal) as necessary to ensure the continued success of the colony.

BIO-6 If any active bat nurseries are found within construction areas, California Department of Fish and Wildlife (CDFW) shall be notified. Construction-free zones may be required around the bat nursery. If permitted by CDFW, the bats may be removed from the buildings or trees by a bat biologist until demolition is complete.

BIO-7 A biologist report outlining the results of pre-construction surveys and any recommended buffer zones shall be submitted to the satisfaction of the City's Supervising Environmental Planner prior to the issuance of any grading, building, or tree removal permit.

Trees

BIO-8 Consistent with the Envision San José 2040 General Plan, trees removed by the project will be replaced in accordance with all applicable laws, policies, or guidelines, including: City of San José Municipal Code Sections 13.28 (Street Trees) and Section 13.32 (Tree Protection Controls), General Plan Policies MS-21.4, MS-21.5, and MS-21.6

BIO-9 Standard Permit Conditions: Consistent with the requirements for future development, the following standard measures would be implemented:

The removed trees would be replaced according to tree replacement ratios required by the City, as provided in the table Minimum Size of Each Replacement Tree above.

The species of trees to be planted shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement. In the event the project site does not have sufficient area to accommodate the required

number of replacement trees, one or more of the following measures will be implemented, to the satisfaction of the City's Supervising Environmental Planner, at the development permit stage:

The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees.

An alternative site will be identified by the City of San José Parks, Recreation and Neighborhood Services Department for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the Director of the Department of Planning, Building, and Code Enforcement.

The applicant shall donate \$300 per mitigation tree to Our City Forest for in- lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting shall be provided to the Planning Project Manager prior to issuance of a development permit.

BIO-10 Pre-construction Treatments

Retain a consulting arborist to discuss work procedures and tree protection with the construction superintendent before beginning work.

Fence all trees to be retained to completely enclose the TREE PROTECTION ZONE prior to demolition, grubbing, or grading. Fences shall be six feet tall and chain link, or equivalent, as approved by the consulting arborist. Fences are to remain until all grading and construction is completed.

Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.

BIO 11 During Construction

Prohibit grading, construction, demolition, or other work within the TREE PROTECTION ZONE. No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the TREE PROTECTION ZONE. Any modifications must be approved and monitored by the consulting arborist.

Any root pruning required during construction shall receive the prior approval of, and be supervised by, the consulting arborist.

Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.

Apply supplemental irrigation to trees as determined by the consulting arborist.

If injury should occur to any tree during construction, the consulting arborist shall evaluate the trees as soon as possible so that appropriate treatments can be applied.

	<p>Migratory Birds</p> <p>BIO 12</p> <p>Requiring pre-construction surveys for nesting birds prior to grading permit issuance for projects that disturb trees and begin construction during the nesting season (February 1 and August 31).</p> <p>Pre-construction surveys for nesting birds will be conducted by a qualified biologist within onsite trees as well as all trees within 250 feet of the site.</p> <p>The survey will occur within 14 days of the onset of construction. If pre-construction surveys locate active nests within or near construction zones, these nests, and an approved buffer around them (as determined by a qualified biologist), will remain off-limits to construction until the nestling/chicks have fledged and are no longer dependent on the nest.</p>
<p>Noise Abatement and Control</p>	<p>Standard Permit Conditions: Consistent with the requirements for future development, the proposed project would implement the following standard noise control measures:</p> <ul style="list-style-type: none"> • Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific “construction noise mitigation plan” and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses. • The contractor shall use “new technology” power construction equipment with state-of-the art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components. • The unnecessary idling of internal combustion engines shall be prohibited. • Staging areas and stationary noise-generating equipment shall be located as far as possible from noise-sensitive receptors such as residential uses (a minimum of 200 feet). • The surrounding neighborhood shall be notified early and frequently of the construction activities. • A “noise disturbance coordinator” shall be designated to respond to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., beginning work too early, bad muffler,

	<p>etc.) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator would be conspicuously posted at the construction site.</p> <ul style="list-style-type: none"> The project will minimize vibration impacts to adjacent uses during demolition and construction by restricting vibratory compactors to have a minimum setback of 50 feet from any structures. A vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction.
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>GEO1. Building design and construction at the site would be completed in conformance with the recommendations of Stevens, Ferrone & Bailey Engineering Company, Inc. (Stevens) in their Geotechnical Investigation and with those contained in their report of January 2020 updating seismic design parameters per the 2019 California Building Code.</p> <p>Any future buildings would also meet the requirements of applicable Building and Fire Codes, including the 2014 California Building Code Chapter 16, Section 1613, as adopted or updated by the City.</p> <p>Standard Permit Conditions: Consistent with the requirements for future development, the proposed project would implement the following measures:</p> <ul style="list-style-type: none"> Standard erosion control and grading best management practices (BMPs) will be implemented during construction to prevent substantial erosion from occurring during site development. The BMPs shall be included on all construction documents. Prior to issuance of a Public Works Clearance, the applicant must obtain a grading permit before commencement of excavation and construction. In accordance with General Plan Policy EC-4.12, the applicant may be required to submit a Grading Plan and/or Erosion Control Plan for review and approval, prior to issuance of a grading permit. <p>Drainage/Storm Water Runoff</p> <p>All development projects in San José, whether the projects are subject to the NPDES General Permit for Construction Activities, shall comply with the City's Grading Ordinance.</p> <p>The City of San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality while a site is under construction. Prior to issuance of a permit for grading activity occurring during the rainy season (October 15 to April 15), the applicant is required to submit an Erosion Control Plan to the Director of Public Works for review and approval. The Plan must detail the Best Management Practices that would be implemented to prevent the discard of storm-water pollutants.</p>

	<p>Post-Construction Water Quality Impacts</p> <p>Future redevelopment on the site would comply with the City of San José’s Post-Construction Urban Runoff Policy 6-29 and the RWQCB Municipal Regional NPDES permit, as applicable.</p> <p>Standard Permit Conditions: Consistent with the requirements for future development the following measures are included in the project to prevent stormwater pollution and minimize potential sedimentation during construction. These measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Utilize on-site sediment control BMPs to retain sediment on the project site. • Utilize stabilized construction entrances and/or wash racks. • Implement damp street sweeping. • Provide temporary cover of disturbed surfaces to help control erosion during construction; and • Provide permanent cover to stabilize the disturbed surfaces after construction has been completed. <p>Post Construction Activities</p> <p>Standard Permit Conditions: The following standard project condition is included in the project to reduce post-construction impacts to water quality:</p> <ul style="list-style-type: none"> • In compliance with the City of San José’s Post-Construction Urban Runoff Policy 6-29 and the MRP, the project shall design and construct LID stormwater treatment control measures to treat runoff from impervious surfaces.
<p>Historic Preservation</p>	<p>CR1. Archaeological and Native American Monitoring</p> <p>Rincon recommends archaeological and Native American monitoring of all project-related ground disturbing activities by a qualified archaeologist and Native American consultant. Archaeological monitoring should be performed under the direction of an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (National Park Service 1983). Native American monitoring should be provided by a locally affiliated tribal member. Monitors will have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find evaluated for listing in the CRHR and NRHP. Archaeological or Native American monitoring or both may be reduced or halted at the discretion of the monitors, in consultation with the lead agency, as</p>

	<p>warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of rough grading. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbance moves to a new location within the APE and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).</p> <p>CR2. Unanticipated Discovery of Subsurface Cultural Resources</p> <p>If in-tact deposits of archaeological resources are encountered during ground-disturbing activities, work in the immediate area should be halted and an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for NRHP eligibility. If the discovery proves to be significant and cannot be avoided by the project, additional work, such as data recovery excavation, may be warranted to mitigate any adverse effects to historic properties. Work may proceed in the immediate area in the event of isolated artifacts or disturbed deposits associated with Eden-1.</p> <p>CR3. Human Remains</p> <p>The discovery of human remains is always a possibility during ground disturbing activities in native soils. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>N1. Implement and adhere to recommendations from Illingworth & Rodkin, Inc. <i>Environmental Noise Assessment</i>.</p>

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: _____

Date: May 12, 2021

Name/Title/Organization: Cinnamon Crake, President, AEM Consulting

Certifying Officer Signature: _____

Date: _____

Name/Title: Chu Chang, Acting Director

Planning, Building and Code Enforcement

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

1710 Moorpark Apartments – Source Documentation

May 2021

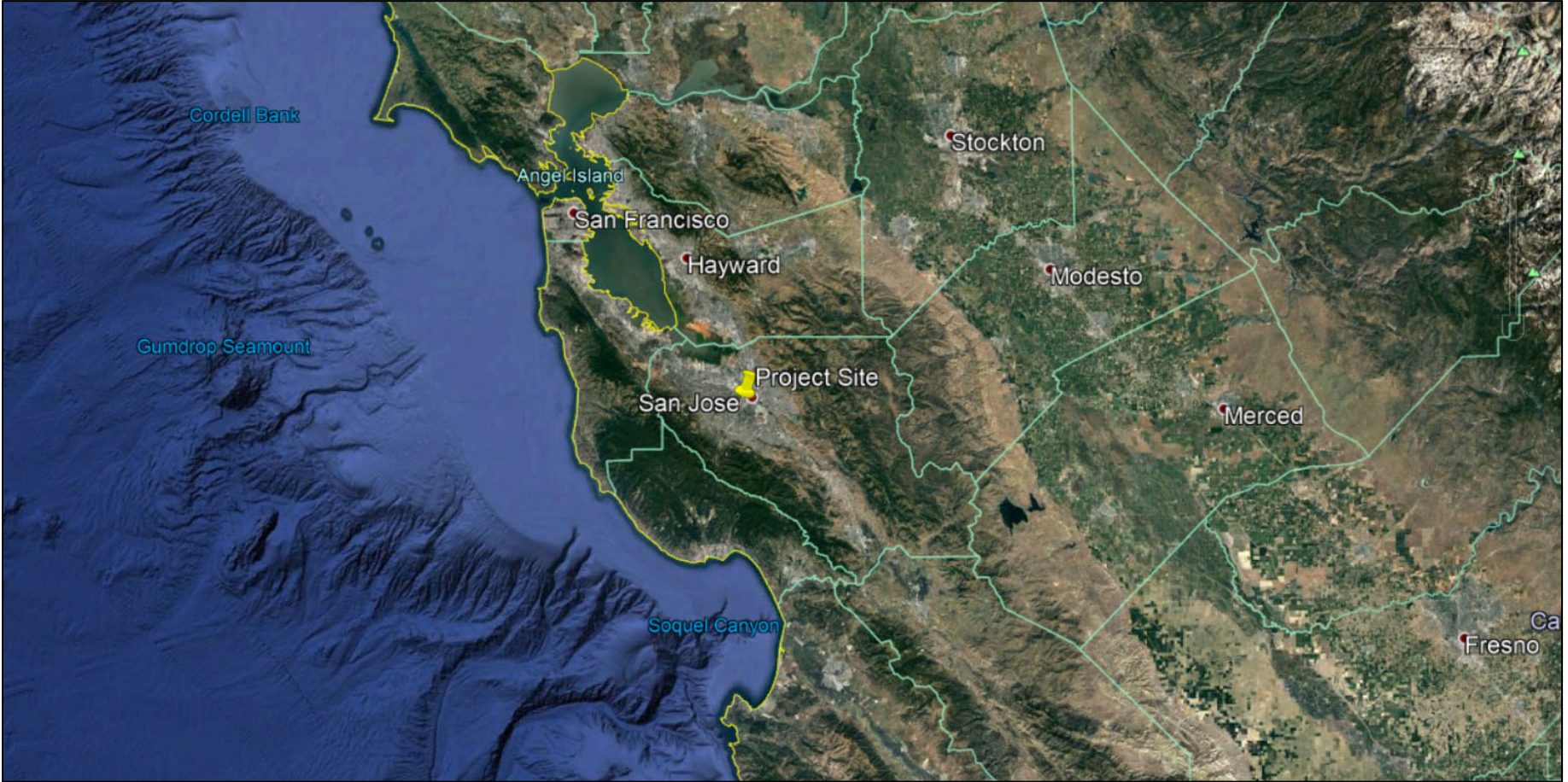
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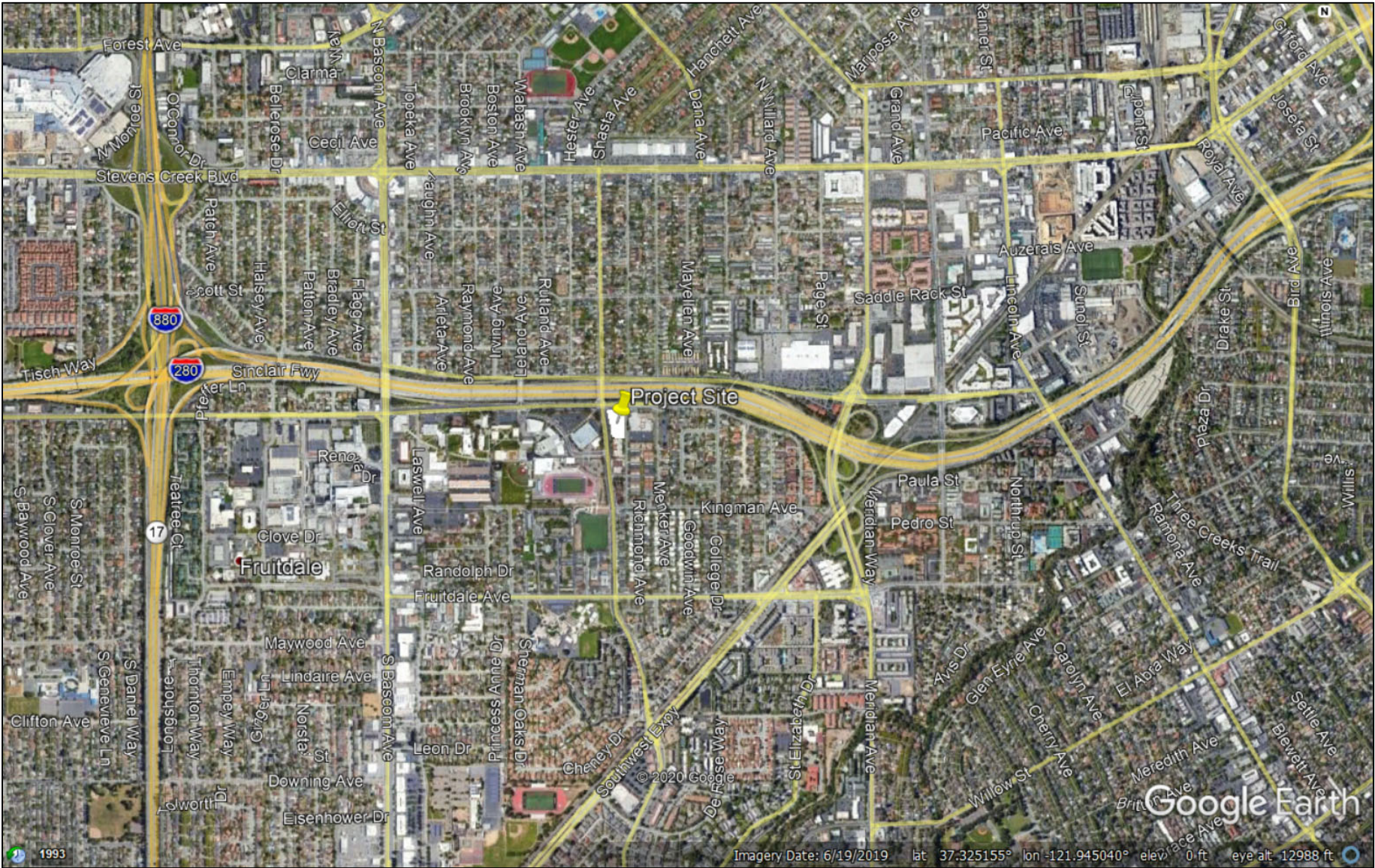
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Map 1 Regional Map



Map 2 Vicinity Map

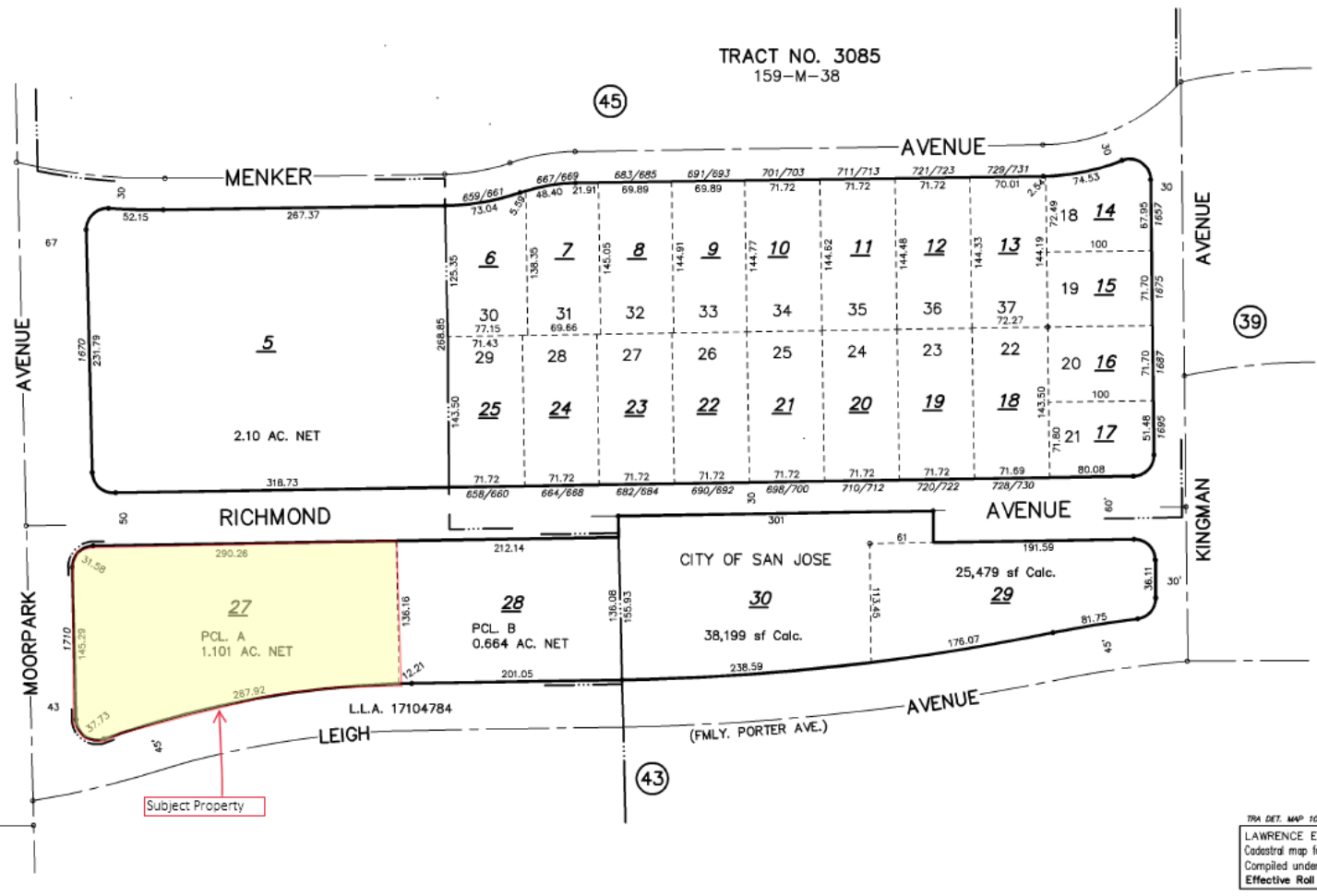
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BOOK 277



TRA DET. MAP 106
LAWRENCE E. STONE — ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2011-2012

Map 3 Assessor Parcel Map



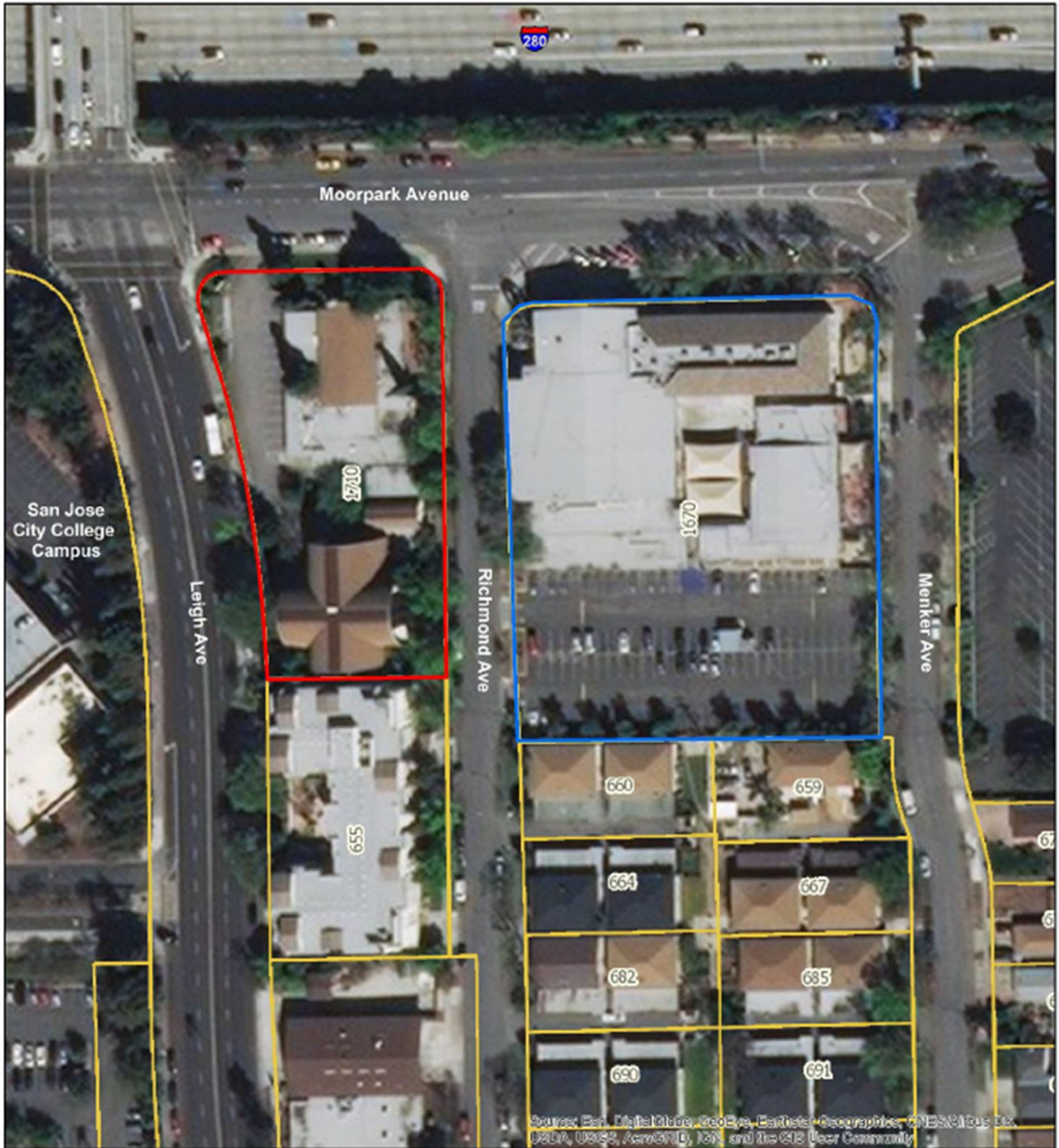


Figure 1 Aerial View (Project Site outlined in RED)



Figure 2 Photograph