

**ADDENDUM TO THE BELLARMINA COLLEGE PREPARATORY
MASTER PLAN MITIGATED NEGATIVE DECLARATION (ORD NO.
28337) AND ADDENDA THERETO**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to the Bellarmine College Preparatory Master Plan IS/MND and addenda thereto because minor changes made to the project, as described below, do not raise important new issues about the significant impacts on the environment.

PROJECT DESCRIPTION AND LOCATION

File No. PD21-014. Planned Development Permit to allow for the construction of a new four-level, approximately 114,760 square foot parking structure containing 373 parking spaces on an approximately 1.84-gross acre site. The project would result in a total of 849 parking spaces on-campus, however, the increased parking does not coincide with any proposed increase in student enrollment.

Location: located at the southwest corner of Stockton Avenue and Emory Street, south of the Bellarmine College Preparatory (BCP) campus in the City of San José.

APN: 261-10-095, 096, 104 & 105

Council District: 6

The environmental impacts of this project were addressed in the Bellarmine College Preparatory Master Plan Mitigated Negative Declaration (MND), adopted by City Council on June 17, 2008 by Ordinance No. 28337.

The proposed project is eligible for an addendum pursuant to CEQA Guidelines §15164, which states that “An addendum to an adopted negative declaration may be prepared if only minor technical change or additions are necessary or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.” Circumstances which would warrant a subsequent EIR or negative declaration include substantial changes in the project or new information of substantial importance which would require major revisions of the previous EIR or negative declaration due to the occurrence of new significant impacts and/or a substantial increase in the severity of previously identified significant effects.”

The following impacts were reviewed and found to be adequately considered by the Bellarmine College Preparatory Master Plan MND, and addenda thereto:

- | | | |
|-------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Urban Services | <input checked="" type="checkbox"/> Biotic Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Airport Considerations | <input checked="" type="checkbox"/> Microclimate |
| <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Construction Period Impacts |
| <input checked="" type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Facilities and Services |

In addition, the Tribal Cultural Resources section is now included in the CEQA checklist (as of September 27, 2016). Energy, Greenhouse Gas Emissions, and Wildfire sections are also now included in the CEQA Checklist (as of December 28, 2018). The Tribal Cultural Resources, Energy and Greenhouse Gas Emission sections have therefore been added to this Addendum. Wildland fire hazards to the project

were previously addressed in the Master Plan IS/MND under Hazards and Hazardous Materials and determined to have no impact.

BACKGROUND

The environmental impacts of this project were addressed in the Bellarmine College Preparatory Master Plan Mitigated Negative Declaration and addenda thereto, adopted by City Council Ordinance No. 28337 on June 17, 2008. The Bellarmine College Preparatory Master Plan MND (Master Plan MND) analyzed the impacts resulting from implementation of the Bellarmine College Master Plan, which included a Planned Development rezoning of the main campus to allow for the construction of new school facilities, redistribution of parking areas, the creation of two new parking lots, and the closure of Emory Street at Laurel Street. The Master Plan MND was circulated for public review from March 28 to April 18, 2008. The Planning Commission adopted the Master Plan IS/MND on May 28, 2008.

In June 2008, the City of San José prepared an Addendum to the Master Plan MND to allow for an increase in student population (from 1,570 students to 1,750 students), which was not previously analyzed in the Master Plan MND. An in-house traffic analysis was completed by the City which determined that the proposed increase in student population would not result in significant transportation impacts. The Planning Director approved the Addendum on June 12, 2008 and City Council adopted the CEQA clearance in Ordinance No. 28337 on June 17, 2008.

A second Addendum to the Master Plan IS/MND to allow for the installation of light standards at the school's soccer/lacrosse field (File Nos. PD19-001 and PDC19-001) was approved by the City Council in September 2019.

PROJECT CONSISTENCY AND PROPOSED CHANGES

Since adoption of the Master Plan MND, and the subsequent Addendums in 2008 and 2019, the current project proposes the construction of a new four-level, approximately 114,760 square foot parking structure located on the corner of Emory Street and Stockton Avenue. The parking lot is surrounded by an industrial office to the south along Stockton Avenue, a BCP facilities staff building along the southern boundary adjacent to Stockton Avenue, duplex residential units to the south along Laurel Avenue, a BCP gym building on the west, the BCP campus across Emory Street to the north, and heavy industrial uses (cement batch plant) and railroad tracks to the east across Stockton Avenue. The project site is currently developed with a surface-level parking lot with 145 parking spaces. The proposed structure would replace approximately 111 of the existing 145 total spaces with a garage structure containing approximately 373 spaces, resulting in a net gain of approximately 296 spaces on-site. The project would result in a total of 849 parking spaces on-campus which is greater than the 590 parking spaces approved under the Master Plan, however, the increased parking does not coincide with any proposed increase in student enrollment. The additional parking spaces provided by the proposed parking garage would eliminate the need for students to park off-campus on the neighboring residential streets. Additionally, previously approved development standards for the Master Plan allowed for the construction of a future parking structure.

While the project would increase the number of available parking spaces on-site, the project would not increase the student or employee population on the BCP campus. The 2008 Addendum allowed for an increase in student population from 1,570 to 1,750 students which determined that the proposed increase in student population would not result in significant impacts. The enrollment on the site would not exceed the previously approved number of 1,750 students and therefore operational impacts are estimated to be similar to what was previously analyzed. The construction and installation of this project would not result in substantial construction impacts. The project is subject to City's standard permit conditions for construction. Based on the studies completed for the project, the proposed project will not result in a substantial increase in the magnitude of any environmental impact previously identified in the Bellarmine College Preparatory Master Plan MND and addenda thereto, nor does it result in new significant environmental impacts.


This addendum will not be circulated for public review, but will be attached to the Bellarmine College Preparatory Master Plan MND, pursuant to CEQA Guidelines §15164(c).

Kara Hawkins
Environmental Project Manager

Christopher Burton, Director
Planning, Building and Code Enforcement

6/1/22

Date



Deputy

Attachments:

1. Addendum to the Bellarmine College Preparatory Master Plan IS/MND, dated May 2022.

*Addendum to the
Bellarmine College Preparatory Master Plan
Mitigated Negative Declaration*

**Bellarmino College
Preparatory**

**Stockton Avenue Parking
Garage**

File Nos. PD21-014, ER21-139



May 2022

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Appendix F: Local Transportation Analysis

SECTION 1.0 PROJECT INFORMATION

1.1 PROJECT TITLE

Stockton Avenue Parking Garage

1.2 LEAD AGENCY CONTACT

City of San José
Department of Planning, Building and Code Enforcement
Planning Division
Kara Hawkins, Environmental Planner
200 East Santa Clara Street
San José, CA 95113

1.3 PROJECT APPLICANT

Ron Miller, CFO
Bellarmine College Preparatory
960 W. Hedding Street
San Jose, CA 95126

1.4 PROJECT LOCATION

The project site is located at the southwest corner of Stockton Avenue and Emory Street, south of the Bellarmine College Preparatory (BCP) campus in the City of San José.

1.5 ASSESSOR'S PARCEL NUMBERS

APN 261-10-095, 096, 104 & 105

1.6 EXISTING GENERAL PLAN DESIGNATION AND ZONING DISTRICT

General Plan Designation: Light Industrial

Zoning: (PD) – Planned Development District (File No. PDC19-001)

1.7 HABITAT PLAN DESIGNATION

Private Development Area: Area 4 – Urban Development Covered
Land Cover: Urban – Suburban
Land Cover Fee Zone: Urban Areas (No Land Cover Fee)

1.8 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

Planned Development Permit, Public Works and Building Permit(s)

1.9 PURPOSE OF THE ADDENDUM

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is certified and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine if they affect the conclusions in the environmental document.

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the Bellarmine College Preparatory Master Plan in March of 2008 (File No. PDC07-072). The Bellarmine College Preparatory Master Plan IS/MND (Master Plan IS/MND) analyzed the impacts resulting from implementation of the Bellarmine College Master Plan, which included a Planned Development rezoning of the main campus to allow for the construction of new school facilities, redistribution of parking areas, the creation of two new parking lots, and the closure of Emory Street at Laurel Street. The Master Plan IS/MND was circulated for public review from March 28 to April 18, 2008. The Planning Commission adopted the Master Plan IS/MND on May 28, 2008.

In June 2008, the City of San José prepared an Addendum to the Master Plan IS/MND to allow for an increase in student population (from 1,570 students to 1,750 students), which was not previously analyzed in the Master Plan IS/MND. An in-house traffic analysis was completed by the City which determined that the proposed increase in student population would not result in significant transportation impacts. The Planning Director approved the Addendum on June 12, 2008, and City Council adopted the CEQA clearance on June 17, 2008.

A second Addendum to the Master Plan IS/MND to allow for the installation of light standards at the school's soccer/lacrosse field (File Nos. PD19-001 and PDC19-001) was approved by the City Council in September 2019.

Since adoption of the Master Plan IS/MND, and the subsequent Addenda in 2008 and 2020, changes to the project that were not analyzed in the Master Plan IS/MND have been proposed, which are the subject of this Addendum. This Addendum analyzes the impacts that may result from new components of the proposed project that were not analyzed in the prior Master Plan IS/MND or Addendum thereto (see Section 2.0 Description of the Proposed Changes to the Project).

CEQA Guidelines Section 15162 states that when an Environmental Impact Report (EIR) has been certified or a Negative Declaration adopted for a project, no subsequent EIR (or Negative Declaration) shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due

to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15164 states that the Lead Agency or a Responsible Agency shall prepare an Addendum to a previously certified EIR (or negative declaration) if some changes or additions are necessary, but none of the conditions described in 15162 (see above) calling for preparation of a subsequent EIR or negative declaration have occurred. This is the case for the subject project, and the reason for the preparation of this Addendum.

This Addendum will not be formally circulated for public review but will be attached to the Master Plan IS/MND adopted by the City Council on May 28, 2008. Documents referenced in this Addendum are available for public review in the Department of Planning, Building and Code Enforcement at San José City Hall, 200 East Santa Clara Street, during normal business hours.

SECTION 2.0 PROPOSED CHANGES TO THE PROJECT

In the discussion below, Section 2.1 describes the project as evaluated in the Master Plan IS/MND and subsequent Addendum. Section 2.2 describes the proposed project evaluated in this Addendum.

2.1 DESCRIPTION OF THE PROJECT ANALYZED IN THE 2008 INITIAL STUDY AND SUBSEQUENT ADDENDA

The project analyzed in the 2008 Initial Study was the Bellarmine College Preparatory (BCP) Master Plan, which is outlined below.

2.1.1 Bellarmino College Preparatory Master Plan

BCP is an all-male, college preparatory school for grades nine through 12. The school site is comprised of 12 parcels which are developed with a variety of academic, office and sports buildings, surface parking lots, and athletic fields. One parcel (APN 261-11-005) makes up the main campus and is located within one city block that is defined by Stockton Avenue, West Hedding Street, Elm Street, and Emory Street.

The project site encompasses approximately 23 acres, including approximately 249,448 square feet of classrooms, offices, and indoor sports facilities. The project required a Planned Development rezoning of the main campus (APN 261-11-005) to allow for the construction of new school facilities, redistribution of parking areas, creation of two new parking lots under a Conditional Use Permit (APNs 261-10-072, 230-41-29, 230-41-30, 230-41-31, 230-41-32), and closure of Emory Street at Laurel Street. Each component of the approved project is discussed below.

2.1.1.1 *Planned Development Rezoning*

The Master Plan included the rezoning of nine parcels, from several zoning designations (including *Light Industrial*, *R-2*, and *Commercial Pedestrian*) to *(A)PD – Planned Development Zoning District*. The *(A)PD – Planned Development* zoning set development standards for future development of the school campus, including allowable uses (private secondary school and supporting uses), maximum number of students, maximum building square footage and height, minimum building setbacks from perimeter lot lines, and parking requirements. The rezoning was codified in Ordinance No. 28337 and adopted on June 12th, 2008.

2.1.1.2 *Expanded School Facilities*

The Master Plan included the demolition of six existing buildings on the main campus and the construction of several new buildings totaling approximately 135,884 square feet. New lawns and landscaping in the Leo J. Lucas quad were also included under the Master Plan. There have been five new buildings approved with PD Permits subsequent to the approval of the Planned Development Zoning (PDC07-072). All of the proposed construction phases under the Master Plan have been completed.

2.1.1.3 *Parking*

The Master Plan proposed to redistribute a significant number of on- and off-site parking spaces to provide a total of 590 parking spaces. The Master Plan required two Conditional Use Permits, file numbers CP07-095 and CP07-096 (later converted to Planned Development Permit No. PD08-042), to allow parking on five existing lots. Four of the existing lots have been consolidated into a single parking lot located at the corner of Stockton Avenue and Emory Street (PD08-042, approved on October 3rd, 2008), and a new parking lot was constructed on the fifth lot, located on the north side of West Hedding Street adjacent to the Bellarmine soccer/lacrosse field (CP07-095, approved on March 26th, 2008).

2.1.1.4 *Closure of Emory Street*

The Master Plan proposed to close Emory Street to through traffic between Stockton Avenue and Laurel Street to facilitate safer and more efficient zones for loading and unloading of students and reduce traffic conflicts between the student body and the residents of the surrounding neighborhood. Vacation of the Emory Street public right-of-way between Stockton Avenue and Laurel Street was approved with PD08-042, and the closure was completed in 2013.

2.1.1.5 *Soccer/Lacrosse Field Lights*

The Master Plan did not anticipate the construction of lights for the soccer/lacrosse field, which is located on the north side of West Hedding Street, opposite the school campus. The proposed lights would be used for field sports games and practices, with no new uses proposed on the field. The proposed project did not include installation of amplified sound/public address systems or propose any changes to the current student population. The proposed field lights were proposed for use up to six days per week, between the hours of 6:30 a.m. and 9:00 p.m. for activities that were currently occurring on the soccer/lacrosse field but were restricted by seasonal daylight hours. The proposed lighting would allow these activities to occur in the early morning and evening hours, when there is less daylight available, typically during winter sports seasons.

2.1.2 Increase in Student Population

The environmental analysis completed for the campus expansion proposed under the Master Plan did not include a change in student population. The Master Plan assumed the student population would remain constant at 1,570 students, and this was reflected in the environmental analysis completed for the Master Plan in the 2008 Initial Study. After the Initial Study was certified, new information regarding a proposed increase in student population by 180 students was divulged, and an Addendum to the adopted Master Plan IS/MND was prepared in June 2008 to assess whether the enrollment increase would result in new impacts not identified in the prior analysis, or substantially exacerbate previously identified impacts. The Addendum found that the increase in student population to 1,750 would not result in new environmental impacts or substantially exacerbate previously identified impacts. The school had a student population of 1,663 for the 2020-2021 school year.¹

¹ R. Miller, personal communication, February 11, 2022.

2.2 DESCRIPTION OF THE PROPOSED PROJECT

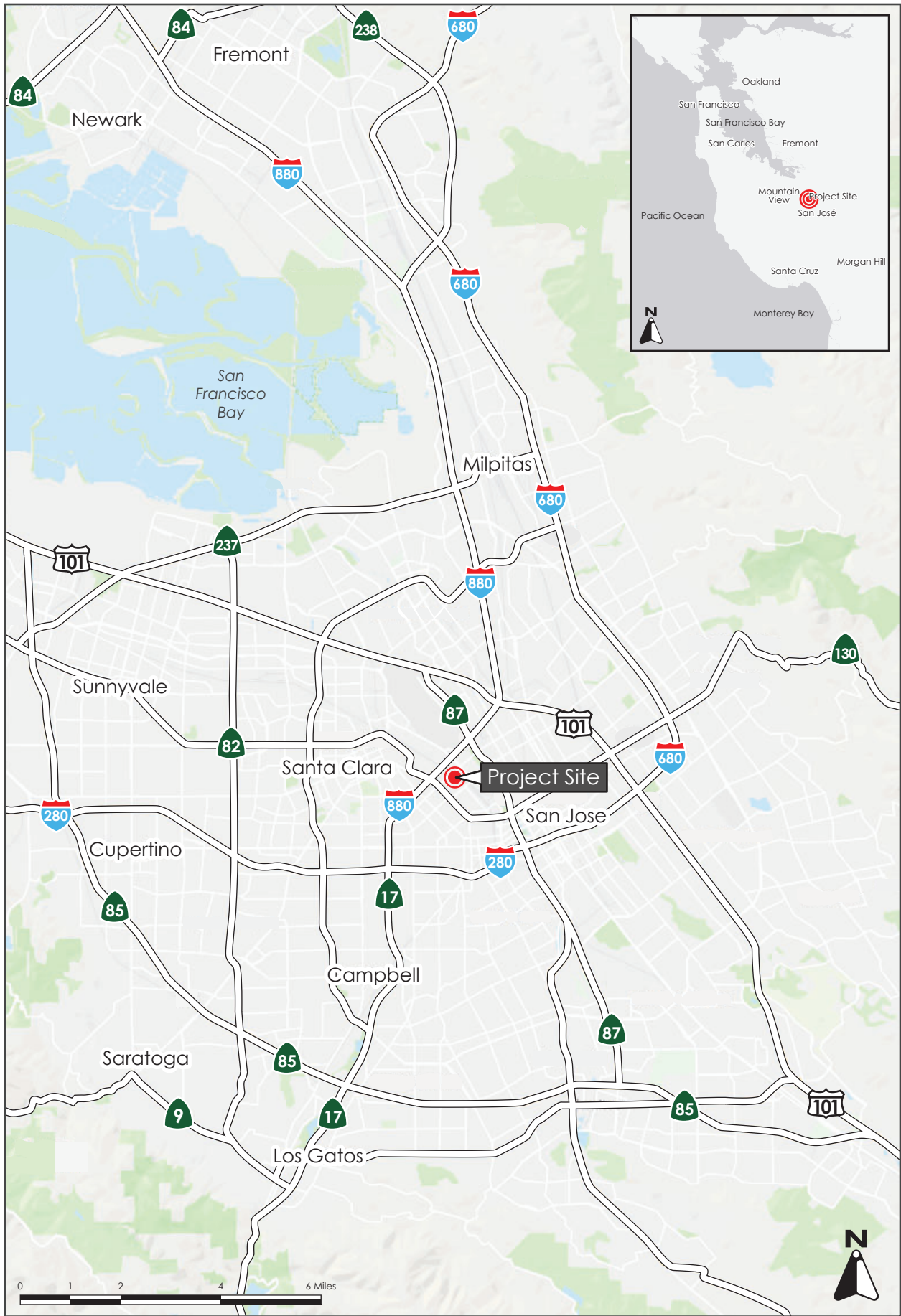
2.2.1 Stockton Avenue Parking Garage

The project site is currently occupied by a paved surface parking lot that serves the students and faculty of the adjacent BCP campus. The parking lot is surrounded by an industrial office to the south along Stockton Avenue, a BCP facilities staff building along the southern boundary adjacent to Stockton Avenue, duplex residential units to the south along Laurel Avenue, a BCP gym building on the west, the BCP campus across Emory Street to the north, and heavy industrial uses (cement batch plant) and railroad tracks to the east across Stockton Avenue. Regional, vicinity, and aerial maps of the project site are shown on Figures 2.2-1, 2.2-2, and 2.2-3, respectively.

The purpose of the proposed Planned Development (PD) Permit is to allow for the construction of a new four-level, approximately 114,760 square foot parking structure on a large portion of the site to provide additional parking to serve BCP. The project would result in a total of 849 parking spaces on-campus, however, the increased parking does not coincide with any proposed increase in student enrollment. The additional parking spaces provided by the proposed parking garage would eliminate the need for students to park off-campus on the neighboring residential streets.

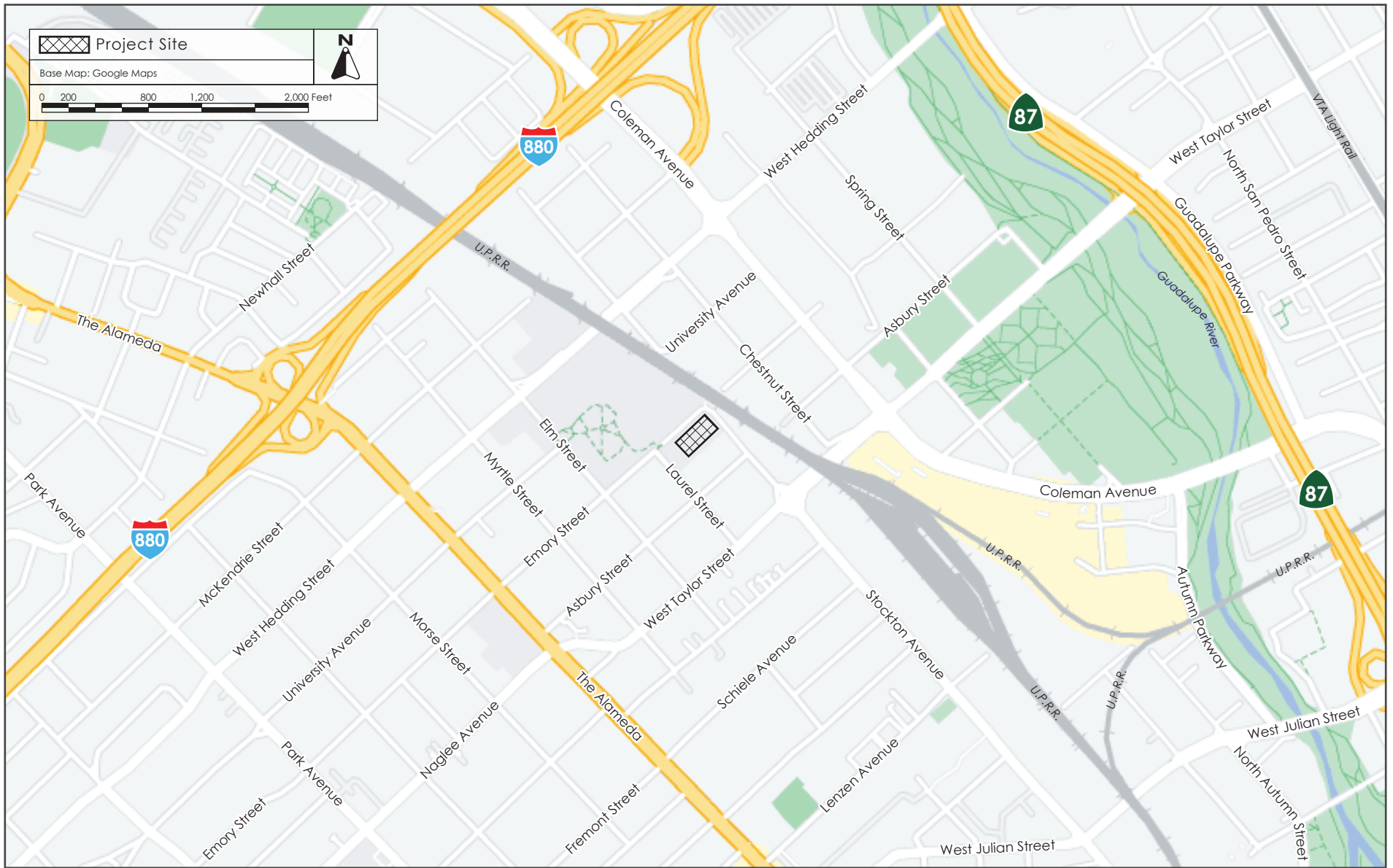
The proposed parking structure would reach a height of approximately 35 feet and would include solar panels on the fourth level, for a maximum height of approximately 42 feet. The proposed structure would replace approximately 111 of the existing 145 total spaces with a garage structure containing approximately 373 spaces, resulting in a net gain of approximately 296 spaces on-site. The project would include 35 electric vehicle (EV) charging stations out of the total 373 proposed parking spaces. The project would remove 32 existing trees on-site, including one Ordinance sized tree to accommodate the proposed parking structure.

The project would utilize the existing driveways on Stockton Avenue and Emory Street for vehicle access to the site and would maintain the existing perimeter rows of parking spaces along the south and west sides, as well as the adjacent drive aisle. The project proposes to designate a one-way circulation pattern throughout the site, with entrance from the Emory Street driveway and exit via the Stockton Avenue driveway. The proposed garage would have three two-way driveways off the main circulation aisle to provide ingress and egress – two located at the west end of the structure and one located at the southeast corner of the structure. The proposed site plan is shown on Figure 2.2-4.



REGIONAL MAP

FIGURE 2.2-1



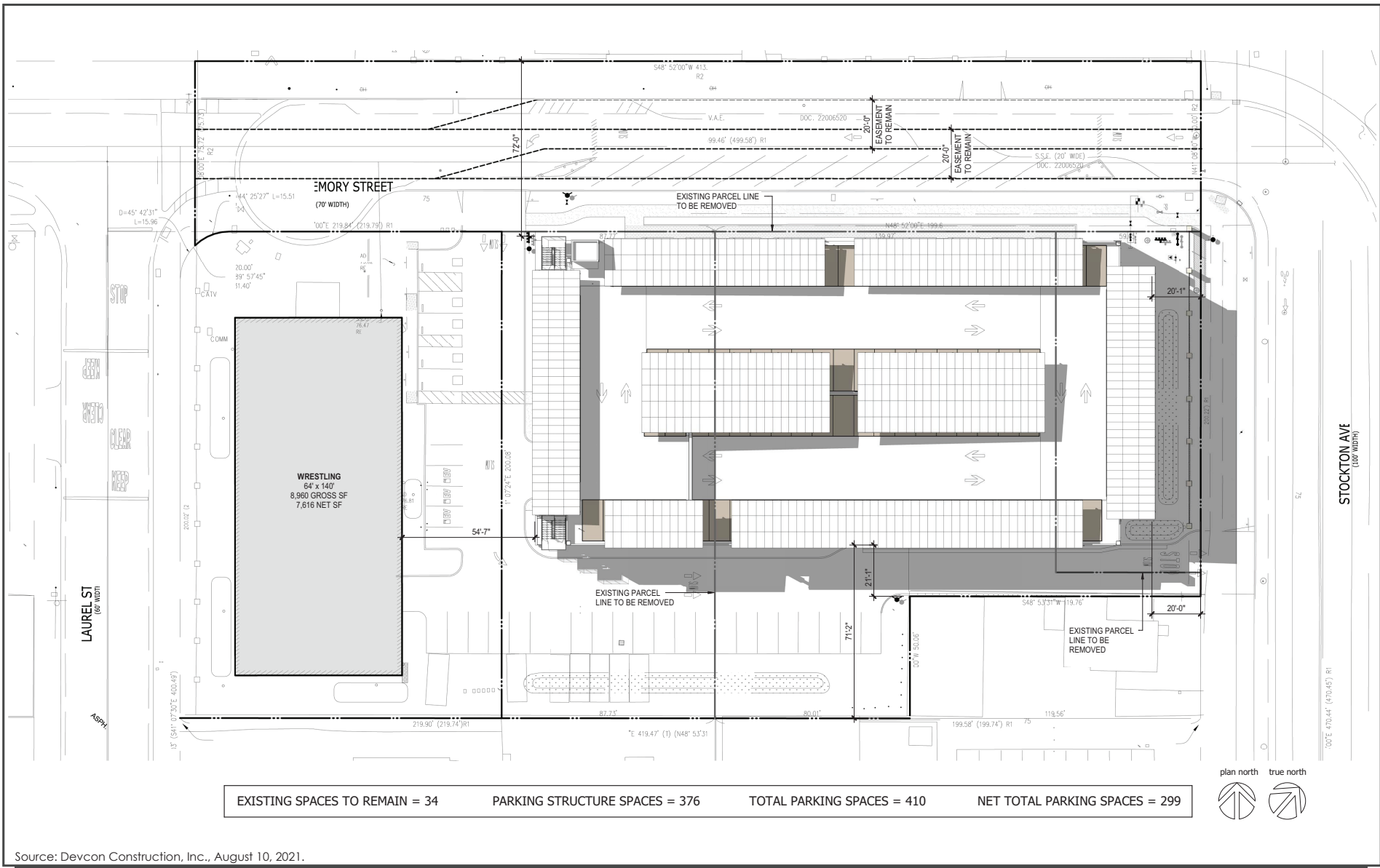
VICINITY MAP

FIGURE 2.2-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.2-3



Source: Devcon Construction, Inc., August 10, 2021.

CONCEPTUAL SITE PLAN

FIGURE 2.2-4

The project would remove the existing angled parking along the south side of Emory Street. Emory Street would be restriped to include two westbound through lanes to the left of the existing curbside loading zone. The rightmost lane would serve vehicles pulling into and out of the loading zone while the leftmost lane would serve through traffic headed for the parking garage. The two lanes would continue along the drive aisle adjacent to the west side of the garage with the left lane serving as a trap lane for left-turn traffic into the parking garage and the right lane used for through traffic passing by the garage after dropping off or picking up students on Emory Street. On-street parking along northbound Stockton Avenue on the approach to Emory Street would also be removed. Stockton Avenue would be restriped to include an additional northbound lane.

The project would construct a new approximately five-foot sidewalk along the south side of Emory Street adjacent to the proposed parking garage. The new sidewalk would connect to an existing sidewalk along the west side of Stockton Avenue. The project would add a striped crosswalk to connect the sidewalk adjacent to the wrestling building across the one-way drive aisle to the proposed new parking garage about 60 feet south of Emory Street. An approximately 4.5-foot sidewalk would be provided along the west side of the new parking garage that would extend from the crosswalk to the southwest corner of the garage where a second stairwell would be located. Another new sidewalk (approximately five-feet wide) would be provided along the north side of the garage to connect the accessible parking spaces at the northwest corner of the ground floor to the sidewalk along Emory Street.

It is estimated that project construction will take approximately 13 months to complete, potentially beginning in June 2022 and finishing in May 2023. The project would export approximately 1,300 cubic yards of soil from the project site. Construction hours would be limited to 7:00 a.m. to 7:00 p.m. on Monday through Friday, per the City's Zoning Ordinance, unless otherwise expressly allowed in a Development Permit or other planning approval.

SECTION 3.0 ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

The discussion below describes the environmental impacts of the currently proposed project compared to the impacts of the project analyzed in the Master Plan IS/MND (and subsequent Addenda). Also noted are any changes that have occurred in the environmental setting that would result in new impacts or impacts of greater severity than those identified in the previously prepared Master Plan IS/MND (and subsequent Addenda). This Addendum only addresses those resource areas that would be potentially affected by the proposed project. Because the student population would not be increased beyond what was evaluated in the Master Plan IS/MND and subsequent Addenda, and the project does not propose to expand development on campus beyond that already considered in prior analyses, the proposed project would have the same impacts in regard to the following environmental issues:

- Agricultural and Forestry Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

In addition, the Tribal Cultural Resources section is now included in the CEQA checklist (as of September 27, 2016) Energy, Greenhouse Gas Emissions, and Wildfire sections are also now included in the CEQA Checklist (as of December 28, 2018). The Tribal Cultural Resources, Energy and Greenhouse Gas Emission sections have therefore been added to this Addendum, (Section 3.5 and 3.6). Wildland fire hazards to the project were previously addressed in the Master Plan IS/MND under Hazards and Hazardous Materials and determined to have no impact. The same conclusion would apply to the proposed project, so no additional analysis is included in this Addendum.

The project proposes the construction of a four-level above-ground parking garage that was not proposed at the time the previous Master Plan IS/MND (and subsequent Addenda) was prepared and is not addressed by development standards established in the existing Planned Development zoning. Because adjacent land uses, particularly the residential neighborhoods to the south and west, would be sensitive to the potential aesthetic, construction air quality and noise effects resulting from the project, and because of potential effects on off-site infrastructure and traffic, this Addendum analyzes the impacts of the proposed project in regard to the following environmental issues:

- Aesthetics
- Air Quality
- Biological Resources
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Noise
- Transportation
- Tribal Cultural Resources

3.1 AESTHETICS

3.1.1 Environmental Setting

3.1.1.1 *Regulatory Framework*

State

Scenic Highways Program

The California Scenic Highway Program is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. State laws governing the Scenic Highway Program are found in the Streets and Highway Code, Sections 260 through 263. There are no state-designated scenic highways in San José. Interstate (I-) 280 from the San Mateo County line to State Route (SR) 17, which includes segments in San José, is an eligible, but not officially designated, State Scenic Highway.²

In Santa Clara County, the one state-designated scenic highway is SR 9 from the Santa Cruz County line to the Los Gatos City Limit. Eligible State Scenic Highways (not officially designated) include SR 17 from the Santa Cruz County line to SR 9, SR 35 from Santa Cruz County line to SR 9, I-280 from the San Mateo County line to SR 17, and the entire length of SR 152 within the County.

Local

Envision San José 2040 General Plan

The General Plan includes the following aesthetic policies applicable to the proposed project:

- VN-1.9** Cluster parking, make use of shared parking facilities, and minimize the visual impact of surface parking lots to the degree possible to promote pedestrian and bicycle activity and to improve the City's aesthetic environment.
- CD-1.17** Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.

Private Outdoor Lighting on Private Developments Policy 4-3

On March 1, 1983, the City of San José implemented the Outdoor Lighting on Private Development policy. The purpose of the policy is to promote energy-efficient outdoor lighting on private

² California Department of Transportation. "Scenic Highways". <http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>

development in the City of San José that provides adequate light for nighttime activities, while benefiting from the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.

3.1.1.2 Existing Conditions

The project site is an existing surface parking lot located at the southwest corner of Stockton Avenue and Emory Street. Due to the flat topography and existing development in the project area, views of the project site from the surrounding area are generally limited to the immediate vicinity. The parking lot is landscaped around the perimeter areas with shrubs and trees, and there are landscape islands within the lot that contain trees. The lot also contains pole-mounted lights within the perimeter landscaping and in the middle of the lot.

The project site is located in an urban environment. As such, views from the project site consist of adjacent one-to-two story buildings, street trees, landscaping, overhead utility lines, and limited views of distant foothills to the east and west.

3.1.2 Checklist Questions

	New Less than Significant with Mitigation Incorporated	New Less than Significant	Same Impact as "Approved Project"	Less Impact than "Approved Project"
Would the project:				
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.1.3 Aesthetic Impacts of the Approved Project

Implementation of the Master Plan was found to not significantly impact scenic vistas or resources or degrade the existing visual character of the areas surrounding the campus. The approved project included building mounted lights and lit walkways at the new buildings and landscape areas. All lighting fixtures were directed downward to minimize glare at the adjacent residences. Implementation of the campus expansion, as proposed by the Master Plan and analyzed in the previously prepared and adopted Master Plan IS/MND, was found to have a less than significant aesthetic impact.

3.1.4 Aesthetic Impacts of the Proposed Project

3.1.4.1 *Scenic Resources (Checklist Questions 1 and 2)*

The project site is located within a developed urban area. There are no designated scenic vistas in the project area and the site is not located near a designated scenic highway that would be affected by the proposed project. The nearest scenic highway to the project site is SR 9, which is approximately eight miles south of the site. Views of the hillsides and peaks bordering the City are not readily visible from the project area. Based on the above, the proposed project would not damage or diminish scenic resources in the project area. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.1.4.2 *Visual Character (Checklist Question 3)*

The project site is within an urbanized area. The project would reach a maximum height of approximately 42 feet to the top of the proposed solar panels on the fourth level. While the proposed parking garage would be taller than most other buildings in the vicinity, the project is primarily immediately adjacent to BCP campus development and industrial uses. Additionally, the proposed parking garage would be partially shielded from view at ground-level and from within existing nearby residences by both existing and proposed street trees and landscape trees. Therefore, the project would not substantially degrade existing visual quality or quality of public views within the existing urban environment of the project area.

The project site is within a PD district. The development standards of the Bellarmine College Preparatory PD state that a structured parking garage may replace surface parking subject to a PD Permit/Amendment. The project proposes to utilize a PD Permit to redevelop the existing surface parking area with the proposed parking structure. Therefore, the project would be in compliance with the development standards of the applicable PD zoning district. For these reasons, the proposed project would have a less than significant impact on the visual character of the surrounding area. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.1.4.3 *Light and Glare (Checklist Question 4)*

The proposed parking structure would be constructed primarily of concrete, which would not produce glare during the day because concrete is not a reflective material. The parking structure would include nighttime lighting. The project would add more light sources and the proposed parking structure would be taller than the existing light standards on-site, making the lighting more visible. However, as part of the entitlement process, the proposed project would be required to comply with the City's Outdoor Lighting on Private Development Policy (Policy 4-3); this policy requires outdoor lighting to be energy-efficient, fully shielded, and directed downward. Additionally, lighting on the internal floors would be partially blocked by the walls of the proposed parking garage. Therefore, the project would not create a new source of substantial light or glare. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.2 AIR QUALITY

The following discussion is based, in part, on a Construction Community Risk Assessment prepared for the project by Illingworth & Rodkin, Inc., dated August 2021. A copy of this report is included in Appendix A of this Addendum.

3.2.1 Environmental Setting

3.2.1.1 *Background Information*

Criteria Pollutants

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O₃), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.³ Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health risks are summarized in Table 3.2-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

Table 3.2-1: Health Effects of Air Pollutants		
Pollutants	Sources	Primary Effects
Ozone (O ₃)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	<ul style="list-style-type: none"> • Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO ₂)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	<ul style="list-style-type: none"> • Aggravation of respiratory illness • Reduced visibility
Fine Particulate Matter (PM _{2.5}) and Coarse Particulate Matter (PM ₁₀)	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	<ul style="list-style-type: none"> • Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	<ul style="list-style-type: none"> • Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

High O₃ levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O₃ levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

³ The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

reduce O₃ levels. The highest O₃ levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant in the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM₁₀) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM_{2.5}). Elevated concentrations of PM₁₀ and PM_{2.5} are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants

TACs are a broad class of compounds known to have negative health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).⁴ Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

3.2.1.2 Regulatory Framework

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O₃, CO, SO_x, NO_x, and lead.

⁴ California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed August 31, 2021. <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in addition to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_x.

Regional and Local

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.⁵

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The Guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

⁵ BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

Community Air Risk Evaluation Program

Under the Community Air Risk Evaluation (CARE) program, BAAQMD has identified areas with high TAC emissions, and sensitive populations that could be affected by them, and uses this information to establish policies and programs to reduce TAC emissions and exposures. Impacted communities identified to date are located in Concord, Richmond/San Pablo, San José, eastern San Francisco, western Alameda County, Vallejo, San Rafael, and Pittsburg/Antioch. The main objectives of the program are to:

- Evaluate health risks associated with exposure to TACs from stationary and mobile sources.
- Assess potential exposures to sensitive receptors and identify impacted communities.
- Prioritize TAC reduction measures for significant sources in impacted communities; and
- Develop and implement mitigation measures to improve air quality in impacted communities.

Envision San José 2040 General Plan

The Envision San José 2040 General Plan includes the following policies that are specific to air quality and applicable to the proposed project:

Envision San José 2040 General Plan Relevant Air Quality Resources Policies

Policy	Description
MS-10.1	Assess projected air emissions from new development in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and relative to state and federal standards. Identify and implement feasible air emission reduction measures.
MS-10.2	Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.
MS-10.3	Promote the expansion and improvement of public transportation services and facilities, where appropriate, to both encourage energy conservation and reduce air pollution.
MS-11.2	For projects that emit toxic air contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-recommended procedures as part of environmental review and employ effective mitigation to reduce possible health risks to a less than significant level. Alternatively, require new projects (such as, but not limited to, industrial, manufacturing, and processing facilities) that are sources of TACs to be located an adequate distance from residential areas and other sensitive receptors.
MS-11.4	Encourage the installation of appropriate air filtration at existing schools, residences, and other sensitive receptor uses adversely affected by pollution sources.
MS-11.5	Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.
MS-13.1	Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.

3.2.1.3 Existing Conditions

The Bay Area is considered a non-attainment area for ground-level O₃ and PM_{2.5} under both the federal Clean Air Act and state Clean Air Act. The area is also considered in nonattainment for PM₁₀ under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O₃ and PM₁₀, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O₃ precursor pollutants (ROG and NO_x), PM₁₀, and PM_{2.5}, and apply to both construction and operational emissions.

The nearest sensitive receptors to the project site are in the single and multi-family residences to the south and west of the project site, approximately 100 feet and 240 feet from the project site, respectively. Dormitory halls and classrooms are also located to the west of the project site at further distances.

3.2.2 Impact Discussion

	New Less than Significant with Mitigation Incorporated	New Less than Significant	Same Impact as "Approved Project"	Less Impact than "Approved Project"
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.2.2.1 Thresholds of Significance

Impacts from the Project

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of San José has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and PM_{2.5}. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 3.2-2 below.

Table 3.2-2: BAAQMD Air Quality Significance Thresholds			
Pollutant	Construction Thresholds	Operation Thresholds	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG, NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	Single Source	Combined Cumulative Sources	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual PM _{2.5}	0.3 µg/m ³	0.8 µg/m ³ (average)	

3.2.3 Air Quality Impacts of the Approved Project

Implementation of the Master Plan was found to not have significant air quality impacts. The project proposed to implement standard measures during all phases of construction to prevent visible dust emissions from leaving the project site.

3.2.4 Air Quality Impacts of the Proposed Project

3.2.4.1 Clean Air Plan Consistency and Criteria Pollutant Emissions (Checklist Questions 1 and 2)

Clean Air Plan

BAAQMD is the regional agency responsible for overseeing compliance with state and federal laws, regulations, and programs within the San Francisco Bay Area Air Basin. As previously stated, BAAQMD’s most recently adopted plan is the 2017 CAP. The primary goals of the CAP are to attain air quality standards, reduce population exposure and protect public health, and reduce GHG emissions and protect the climate. BAAQMD has also developed CEQA Guidelines to assist lead agencies in evaluating the significance of air quality impacts. In formulating compliance strategies, BAAQMD relies on planned land uses established by local general plans. Land use planning affects vehicle travel, which in turn affects region-wide emissions of air pollutants and GHGs.

The 2017 CAP includes control measures that are intended to reduce air pollutant emissions in the Bay Area either directly or indirectly. Plans must show consistency with the control measures listed within the CAP. The proposed project would not conflict with the latest Clean Air planning efforts because the project would have emissions below the BAAQMD thresholds (as described below), would be an urban infill development, and would be located near transit with regional connections.

Construction Period Emissions

Project construction would generate regional criteria air pollutants. The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to estimate emissions from on-site construction activity, construction vehicle trips, and evaporative emissions. It is estimated that project construction would last approximately 13 months. The annualized average daily construction emissions of ROG, NO_x, PM₁₀ exhaust, and PM_{2.5} exhaust are summarized in Table 3.2-3, below.

Table 3.2-3: Construction period Emissions				
Year	ROG	NO_x	PM₁₀ Exhaust	PM_{2.5} Exhaust
Construction Emissions Per Year (tons)				
2022 & 2023	0.05	0.50	0.03	0.02
Average Daily Construction Emissions Per Year (pounds/day)				
2022 & 2023 (254 construction workdays)	0.43	3.91	0.20	0.15
BAAQMD Thresholds (pounds per day)	54 lbs./day	54 lbs./day	82 lbs./day	54 lbs./day
Exceed Threshold?	No	No	No	No

As shown in Table 3.1-3, project construction would not exceed BAAQMD’s thresholds of significance for ROG NO_x, PM₁₀ exhaust, or PM_{2.5} exhaust.

Operational Period Emissions

The proposed parking garage would not generate new vehicle trips, a source of criteria air pollutant emissions, because the project would not result in an increase of student population or employees on the BCP campus. The parking garage would not involve other operational activities that would result in the generation of criteria air pollutant emissions. Therefore, the project would be consistent with the 2017 CAP and would not generate a significant amount of regional criteria air pollutants. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.2.4.2 Community Risk Impacts (Checklist Question 3)

Dust Generation

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of

airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are implemented to reduce these emissions.

Standard Permit Conditions: Consistent with the approved Master Plan IS/MND, the project would implement the following measures to control dust and exhaust during construction.

The following measures shall be implemented during all phases of construction to control dust and exhaust at the project site:

- Water active construction areas at least twice daily or as often as needed to control dust emissions.
- Cover trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.
- Remove visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- Pave new or improved roadways, driveways, and sidewalks as soon as possible.
- Lay building pads as soon as possible after grading unless seeding or soil binders are used.
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Minimize idling times either by shutting off equipment when not in use, or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Provide clear signage for construction workers at all access points.
- Maintain and properly tune construction equipment in accordance with manufacturer's specifications. Check all equipment by a certified mechanic and record a determination of running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints.

The project, with the implementation of the above Standard Permit Conditions, would ensure construction dust emissions would have a less than significant impact

Project Construction – Community Health Risks

Project construction would generate emissions of DPM, a known TAC, from equipment and trucks on a temporary basis that could affect nearby sensitive receptors. The project does not propose any stationary sources of TACs that have the potential for substantial emissions, such as diesel-powered emergency generators. As previously discussed, the project would not generate new vehicle trips. Therefore, project operation is not considered further in this analysis.

Community risk impacts are addressed by predicting increased lifetime cancer risk, the increase in annual PM_{2.5} concentrations, and computing the Hazard Index (HI) for non-cancer health risks. The maximally exposed individual (MEI) for construction cancer risk was determined to be located on the first floor of a single-family residence south of the project site and the total PM_{2.5} concentration MEI was determined to be located on the first floor of the adjacent residence also southeast of the

project site (see Figure 3.2-1). To give the most conservative analysis, the MEIs were based on infant exposure. The project’s construction community risk impacts are summarized below in Table 3.2-4.

Table 3.2-4: Construction Risk Impacts at the Off-Site MEIs			
Source	Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
Project Impact			
Project Construction	5.37 (infant)	0.04	<0.01
BAAQMD Single-Source Threshold	10	0.3	1.0
Exceed Threshold?	No	No	No

As shown in Table 3.2-4, above, project construction would not exceed BAAQMD’s single-source threshold for community health risks.

Cumulative Community Health Risks

Cumulative TAC impacts are analyzed by combining the community risk impacts of the project construction and nearby sources of TACs within 1,000 feet of the project site. TAC sources include rail lines, highways, busy surface streets (>10,000 average daily trips or ADT), and stationary sources identified by BAAQMD. A review of the project area indicated that no roadways within the project vicinity exceed 10,000 vehicles per day. However, a CalTrain line passes through the project vicinity, north and east of the project site. Three stationary sources identified by BAAQMD exist within 1,000 feet of the project site. The stationary sources include two automotive shops and one concrete manufacturing plant. It should be noted that the concrete manufacturing plant (Central Concrete Supply Company, Inc., Facility ID# 2049) is an industrial site with high estimates of PM_{2.5} emissions. The screening levels acquired from BAAQMD do not account for particulate size (e.g., impacts likely based on total particulates rather than PM_{2.5}), emission processes, and dispersion conditions. Therefore, the emission estimates for this facility are likely conservative estimates. Table 3.2-5 summarizes the cumulative community health risk impacts of project construction.



LOCATIONS OF TAC SOURCES AND MEI

FIGURE 3.2-1

Table 3.2-5: Impacts from Combined Sources at Project MEIs			
Source	Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
Project Impact			
Project Construction	5.37 (infant)	0.04	<0.01
BAAQMD Single-Source Threshold	10	0.3	1.0
Exceed Threshold?	No	No	No
Cumulative Sources			
CalTrain Zone 4 College Park	41.83	0.06	--
Central Concrete Supply Company, Inc. (Facility ID# 2049), MEI at 350 feet	--	282.25	--
Michael J's Body Shop (Facility ID# 18409), MEI at 870 feet	--	--	<0.01
Progressive Collision Repair (Facility ID# 20397), MEI at 850 feet	--	--	<0.01
Combined Sources	47.2	282.35	<0.03
BAAQMD Cumulative Source Threshold	>100	>0.8	>10.0
Exceed Threshold?	No	Yes	No

As shown in Table 3.2-5, the combined sources would not exceed the BAAQMD cumulative source threshold for cancer risk or the HI. The combined sources would exceed the BAAQMD cumulative source threshold for annual PM_{2.5} concentrations. However, project construction would not exceed the BAAQMD single source threshold for PM_{2.5} concentrations, while the Central Concrete Supply Company Facility would exceed the single source threshold and would exceed the cumulative source threshold without any additional sources considered. The existing sources of TACs emit approximately 282.31 µg/m³ of PM_{2.5} per year, while project construction would emit approximately 0.04 µg/m³ of PM_{2.5} per year. Therefore, project construction would not be a considerable contribution to the cumulative PM_{2.5} emissions impact. Additionally, as previously stated, the emissions from the Central Concrete Supply Company Facility are likely overstated. Therefore, the project would not have a cumulatively considerable contribution to a PM_{2.5} emissions impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.2.4.3 Other Emissions (Checklist Question 4)

The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable by adjacent receptors; however, the odors would be localized and temporary and would not substantially affect people off-site. For these reasons, implementation of the proposed project would not result in significant long-term or short-

term odor impacts, affecting a substantial number of people. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.3 BIOLOGICAL RESOURCES

The following discussion is based, in part, on an Arborist Report prepared for the project by McClenahan Consulting, LLC, dated July 2021. A copy of this report is included in Appendix B of this Addendum.

3.3.1 Environmental Setting

3.3.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To “take” a listed species, as defined by the State of California, is “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill” these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.⁶ Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to

⁶ United States Department of the Interior. “Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take.” Accessed September 10, 2021. <https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf>.

regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Regional and Local

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) was adopted in 2013 (after approval of the original Master Plan project) and covers approximately 520,000 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The Habitat Plan is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan.

Envision San José 2040 General Plan

The Envision San José 2040 General Plan includes the following policies that are specific to biological resources and applicable to the proposed project:

Envision San José 2040 General Plan Relevant Biological Resources Policies

Policy	Description
CD-1.24	Within new development projects, include preservation of ordinance-sized and other significant trees, particularly natives. Any adverse effect on the health and longevity of such trees should be avoided through design measures, construction, and best maintenance practices. When tree preservation is not feasible include replacements or alternative mitigation measures in the project to maintain and enhance our Community Forest.
ER-5.1	Avoid implementing activities that result in the loss of active native birds’ nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.
ER-5.2	Require that development projects incorporate measures to avoid impacts to nesting migratory birds.
MS-21.4	Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community forest. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.

Envision San José 2040 General Plan Relevant Biological Resources Policies

Policy	Description
MS-21.5	As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse effect on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores. When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.
MS-21.6	As a condition of new development, require, where appropriate, the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies or guidelines.

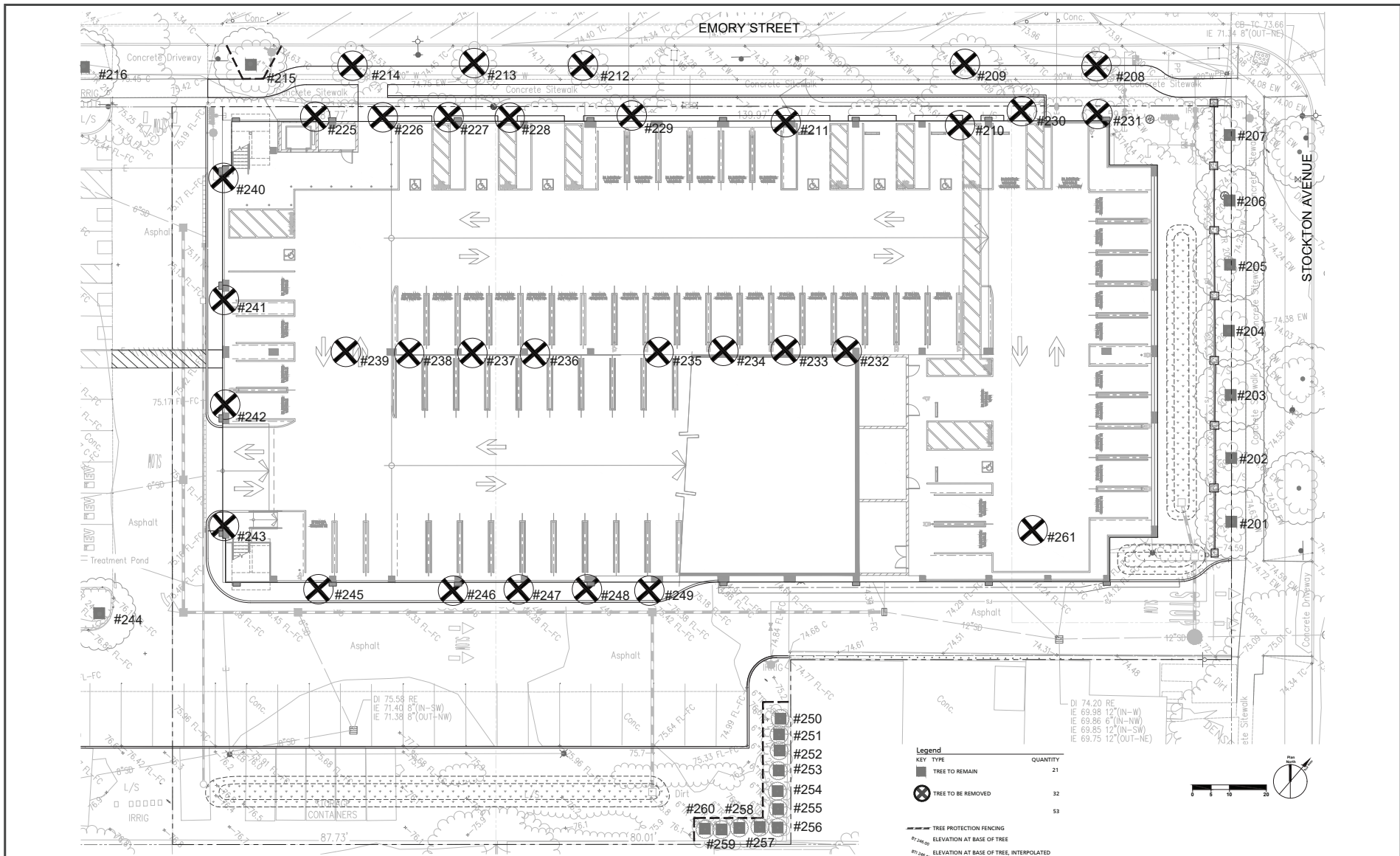
San José Tree Ordinance

The City of San José maintains the urban landscape by controlling the removal of ordinance trees on private property (San José Municipal Code Section 13.32). Ordinance trees are defined as trees exceeding 38 inches in circumference, or approximately 12 inches in diameter, at a height of 4.5 feet above the ground. Ordinance trees are generally mature trees that help beautify the City, slow the erosion of topsoil, minimize flood hazards, minimize the risk of landslides, increase property values, and improve local air quality. A tree removal permit is required from the City of San José for the removal of ordinance trees.

3.3.1.2 Existing Conditions

The project site is currently occupied by a surface parking lot and its associated landscaping. Common wildlife species adapted to the urban environment may pass through the project site, however, the project does not contain any sensitive habitats, nor does it contain habitat suitable for special status species.

McClenahan Consulting, LLC surveyed a total of 61 existing trees for the project, including several off-site trees along Emory Street and Stockton Avenue. The existing trees are primarily young, establishing trees. The project would remove 32 existing trees on-site, including one ordinance-sized tree. The ordinance-sized tree is approximately 72 inches in circumference, while the other 31 trees on-site are all under 38 inches in circumference. Table 3.3-1 summarizes the species of trees on-site to be removed. Figure 3.3-1 shows the locations of the existing trees on-site that are proposed to be removed.



Source: Devcon Construction, Inc., November 19, 2021.

LOCATIONS OF EXISTING TREES TO BE REMOVED

FIGURE 3.3-1

Tree Species	Number of Trees to be Removed	Number of Trees Over 38 Inches in Circumference	Number of Trees Between 19 and 38 Inches in Circumference	Number of Trees Less than 19 Inches in Circumference	Native/Non-Native
London Plane (<i>platanus x acerifolia</i>)	4	--	--	4	Non-Native
Privet (<i>ligustrum spp.</i>)	1	--	1	--	Non-Native
Flowering Plum (<i>prunus triloba</i>)	1	--	1	--	Non-Native
Elm (<i>ulmus spp.</i>)	1	1	--	--	Non-Native
Olive (<i>olea europaea</i>)	7	--	--	7	Non-Native
Copper Beech (<i>fagus sylvatica</i>)	13	--	--	13	Non-Native
Red Oak (<i>quercus rubra</i>)	5	--	--	5	Non-Native
Total	32	1	2	29	--

3.3.2 Impact Discussion

	New Less than Significant with Mitigation Incorporated	New Less than Significant	Same Impact as "Approved Project"	Less Impact than "Approved Project"
Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	New Less than Significant with Mitigation Incorporated	New Less than Significant	Same Impact as "Approved Project"	Less Impact than "Approved Project"
Would the project:				
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.3.3 Biological Resource Impacts of the Approved Project

The Master Plan IS/MND determined that the proposed landscaping would include a sufficient number of trees to offset the loss of trees to be removed by the project. The Master Plan would implement standard measures, including tree replacement, to avoid impacts to trees in accordance with City of San José Tree Removal Controls (San José Municipal Code Title 13 Chapter 13.32).

Several measures were identified in the Master Plan IS/MND to be implemented in the event that the project site did not have sufficient space to accommodate the required tree mitigation. These measures are described below and are subject to approval of the Director of Planning, Building, and Code Enforcement prior to issuance of a Planned Development permit:

- The size of a 15-gallon replacement tree can be increased to a 24-inch box and count as two replacement trees.
- An alternative site(s) shall be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees adjoining properties for screening purposes.
- A donation of \$300 per mitigation tree to Our City Forest for in-lieu off-site tree planting in the community.

The Master Plan IS/MND determined the project would not have any impacts to other biological resources.

3.3.4 Biological Resources Impacts of the Proposed Project

3.3.4.1 *Special Status Species (Checklist Question 1)*

The project site is currently occupied by a surface parking lot and is surrounded by urban uses. The project site does not contain suitable habitat for special status plant or wildlife species. However, existing trees on-site could be used by nesting raptors and other migratory birds for breeding. All nesting raptors and migratory birds are protected by state and federal laws. Therefore, construction activities that adversely affect the nesting success of any raptors and migratory birds (i.e., activities that lead to the abandonment of active nests) or result in mortality of individual birds would constitute a violation of state and federal laws.

Impact BIO-1: Development of the proposed project could result in impacts to nesting birds, if present on the site at the time of construction.

Mitigation Measures: The following mitigation measures would reduce and/or avoid impacts to nesting birds (if present on or adjacent to the site) to a less than significant level and is required for the project to achieve compliance with the MBTA.

MM BIO-1.1: The project applicant shall schedule demolition and construction activities to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st (inclusive).

MM BIO-1.2: If demolition and construction cannot be scheduled between September 1st and January 31st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February 1st through April 30th inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31st inclusive). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests.

MM BIO-1.3: If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist shall determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests shall not be disturbed during project construction.

MM BIO-1.4: Prior to any tree removal, or approval of any grading or demolition permits (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Director of Planning, Building and Code Enforcement or Director's designee.

With implementation of MM BIO-1.1 through MM BIO-1.4, the project would be in compliance with state and federal law protecting nesting birds and the project’s impact to nesting birds would be less than significant. **(New Less than Significant Impact with Mitigation Incorporated)**

3.3.4.2 Sensitive Habitat, Wetlands, and Wildlife Corridors (Checklist Questions 2 through 4)

The project site does not contain any riparian habitat or other sensitive natural communities. There are no wetlands on or adjacent to the project site. Given that the project site is developed and surrounded by urban uses, there is no potential for wildlife corridors to exist on-site. Therefore, the project would have no impact on these biological resources. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.3.4.3 Local Policies and Ordinances (Checklist Question 5)

The project would result in the removal of 32 trees on-site. Since adoption of the IS/MND and subsequent addenda, the City’s standard tree replacement ratios have been updated. The project would be required to meet the replacement tree requirement at the applicable ratios identified in Table 3.3-2 or implement an alternative measure as described in the Standard Permit Condition, below.

Standard Permit Condition: Trees removed for the project shall be replaced at ratios required by the City, as previously stated in Table 3.3-2.

Table 3.3-2: Tree Replacement Requirements				
Circumference of Tree to be Removed	Replacement Ratios Based on Type of Tree to be Removed			Minimum Size of Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 up to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

*x:x = tree replacement to tree loss ratio
 Note: Trees greater than or equal to 38-inch circumference measured at 54 inches above natural grade shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.
 A 38-inch tree equals 12.1 inches in diameter.
 **A 24-inch box replacement tree = two 15-gallon replacement trees

- 32 trees onsite would be removed. one tree would be removed at a 4:1 ratio, two trees would be replaced at a 2:1 ratio, and the remaining trees would be replaced at a 1:1 ratio. The total number and size of replacement trees required to be planted is 37 15-gallon trees.
- If there is insufficient area on the project site to accommodate the required replacement trees, one or more of the following measures shall be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement, at the development permit stage. Changes to an approved landscape plan requires the issuance of a Permit Adjustment or Permit Amendment:

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

The project would plant 18 new 24-inch box trees on-site, equivalent to 36 15-gallon trees. The project would also provide an in-lieu mitigation fee for the remaining required mitigation tree. Although the City's required tree replacement ratios have changed since adoption of the Master Plan IS/MND, the project impact's level of significance has not changed since the proposed parking garage will be in compliance with the current San José Tree Ordinance. Therefore, the project would have the same impact as the approved Master Plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.3.4.4 *Habitat Conservation Plan (Checklist Question 6)*

While the project site is within the Habitat Plan permit area, it does not have a natural communities land cover designation identified for the purposes of protection, enhancement, and restoration. The site has a land cover designation of Urban – Suburban. The project would comply with the Habitat Plan by implementing the following standard permit condition.

Standard Permit Condition:

- The project is subject to applicable Santa Clara Valley Habitat Plan (Habitat Plan) conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The project applicant would be required to submit the Habitat Plan Coverage Screening Form to the Director of Planning, Building and Code Enforcement or the Director's designee for approval and payment of the nitrogen deposition fee prior to the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at www.scv-habitatplan.org.

With implementation of the identified standard permit condition above, the project would not conflict with the provisions of the Habitat Plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.4 ENERGY

3.4.1 Environmental Setting

3.4.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.” The executive order requires CARB to “ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.” EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO₂ from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.⁷ Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.⁸

⁷ California Building Standards Commission. “California Building Standards Code.” Accessed September 10, 2021. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

⁸ California Energy Commission (CEC). “2019 Building Energy Efficiency Standards.” Accessed September 10, 2021. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>.

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.⁹

Regional and Local

Climate Smart San José

Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community. The City approved goals and milestones in February 2018 to ensure the City can substantially reduce GHG emissions through reaching the following goals and milestones:

- All new residential buildings will be Zero Net Carbon Emissions (ZNE) by 2020 and all new commercial buildings will be ZNE by 2030 (Note that ZNE buildings would be all electric with a carbon-free electricity source).
- San José Clean Energy (SJCE) will provide 100-percent carbon-free base power by 2021.
- One gigawatt of solar power will be installed in San Jose by 2040.
- 61 percent of passenger vehicles will be powered by electricity by 2030.

Sustainable City Strategy

The Sustainable City Strategy is a statement of the City's commitment to becoming an environmentally and economically sustainable city by ensuring that development is designed and built in a manner consistent with the efficient use of resources and environmental protection. Programs promoted under this strategy include recycling, waste disposal, water conservation, transportation demand management and energy efficiency.

Municipal Code

The City's Municipal Code includes regulations associated with energy efficiency and energy use. City regulations include a Green Building Ordinance (Chapter 17.84) to foster practices to minimize

⁹ California Air Resources Board. "The Advanced Clean Cars Program." Accessed September 10, 2021. <https://www.arb.ca.gov/msprog/acc/acc.htm>.

the use and waste of energy, water and other resources in the City of San José, Water Efficient Landscape Standards for New and Rehabilitated Landscaping (Chapter 15.10), requirements for Transportation Demand Programs for employers with more than 100 employees (Chapter 11.105), and a Construction and Demolition Diversion Deposit Program that fosters recycling of construction and demolition materials (Chapter 9.10).

Envision San José 2040 General Plan

The Envision San José 2040 General Plan includes strategies, policies, and action items that are incorporated into the City’s GHG Reduction Strategy (GHGRS) to help reduce GHG emissions. Multiple policies and actions in the General Plan have GHG implications, including land use, housing, transportation, water usage, solid waste generation and recycling, and reuse of historic buildings. The General Plan also includes the following policies for the purpose of reducing or avoiding impacts related to the conservation and development of energy resources.

Envision San José 2040 General Plan Relevant Energy Resources Policies

Policy	Description
MS-2.3	Utilize solar orientation (i.e., building placement), landscaping, design, and construction techniques for new construction to minimize energy consumption.
MS-2.11	Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy performance), through architectural design (e.g., design to maximize cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize the effectiveness of passive solar design).
MS-3.1	Require water-efficient landscaping, which conforms to the State’s Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer-installed residential development unless for recreation or other area functions.
MS-6.5	Reduce the amount of waste disposed in landfills through waste prevention, reuse, and recycling of materials at venues, facilities, and special events.
MS-14.4	Implement the City’s Green Building Policies (see Green Building Section) so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, and passive solar building design and planting of trees and other landscape materials to reduce energy consumption.

3.4.1.2 Existing Conditions

Total energy usage in California was approximately 7,802 trillion British thermal units (Btu) in the year 2019, the most recent year for which this data was available.¹⁰ Out of the 50 states, California is ranked second in total energy consumption and 46th in energy consumption per capita. The breakdown by sector was approximately 19 percent (1,456 trillion Btu) for residential uses, 19

¹⁰ United States Energy Information Administration. “State Profile and Energy Estimates, 2019.” Accessed September 10, 2021. <https://www.eia.gov/state/?sid=CA#tabs-2>.

percent (1,468 trillion Btu) for commercial uses, 23 percent (1,805 trillion Btu) for industrial uses, and 39 percent (3,073 trillion Btu) for transportation.¹¹ This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County in 2019 was consumed primarily by the commercial sector (76 percent), followed by the residential sector consuming 24 percent. In 2019, a total of approximately 16,664 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.¹²

SJCE is the electricity provider for residents and businesses in the City of San José. SJCE sources the electricity, and the Pacific Gas and Electric Company (PG&E) delivers it to customers over their existing utility lines. SJCE customers are automatically enrolled in the GreenSource program, which provides 80 percent GHG emission-free electricity. Customers can choose to enroll in SJCE's TotalGreen program at any time to receive 100 percent GHG emission-free electricity from entirely renewable sources.

Natural Gas

PG&E provides natural gas services within the City of San José. In 2019, approximately one percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.¹³ In 2019 residential and commercial customers in California used 33 percent of the state's natural gas, power plants used 26 percent, the industrial sector used 35 percent, and other uses used six percent.¹⁴ Transportation accounted for one percent of natural gas use in California. In 2019, Santa Clara County used approximately two percent of the state's total consumption of natural gas.¹⁵

Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.¹⁶ The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 24.9 mpg in 2019.¹⁷ Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of

¹¹ Ibid.

¹² California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed September 10, 2021. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

¹³ California Gas and Electric Utilities. 2020 *California Gas Report*. Accessed September 10, 2021.

https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf.

¹⁴ United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed September 10, 2021. <https://www.eia.gov/state/?sid=CA#tabs-2>.

¹⁵ California Energy Commission. "Natural Gas Consumption by County." Accessed September 10, 2021. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

¹⁶ California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed September 10, 2021. <https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

¹⁷ United States Environmental Protection Agency. "The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." January 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1010U68.pdf>

35 miles per gallon by the year 2020, was updated in March 2020 to require all cars and light duty trucks achieve an overall industry average fuel economy of 40.4 mpg by model year 2026.^{18,19}

Energy Use On-Site

Energy is currently used on-site to light the existing surface parking lot at night. Gasoline is also consumed during vehicle trips to and from the existing parking lot.

3.4.2 Impact Discussion

	New Less Than Significant Impact with Mitigation Incorporated	New Less than Significant	Same Impact as “Approved Project”	Less Impact than “Approved Project”
Would the project:				
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.4.3 Energy Impacts of the Approved Project

At the time of preparation of the Master Plan IS/MND, the CEQA checklist did not include an energy section and therefore, the energy impacts of the Master Plan were not analyzed at that time. The energy section has since been added to the CEQA checklist. The discussion below provides an analysis for the proposed parking garage. Components of the Master Plan that have been implemented are now considered part of the existing environment. The purpose of CEQA is to inform decision-makers and the general public about the potential environmental impacts of a project before discretionary action is taken. Therefore, only the current project, the proposed parking garage is analyzed in this Addendum and the energy impacts of the overall Master Plan are not discussed.

3.4.4 Energy Impacts of the Proposed Project

3.4.4.1 *Energy Waste and Inefficiency (Checklist Question 1)*

Energy would be consumed during the construction and operational phases of the proposed project. The construction phase would require energy for the manufacture and transportation of building materials, preparation of the site for grading, and the actual construction of the parking structure. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks. Implementation of the proposed development would consume energy (in the form of

¹⁸ United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed September 10, 2021. <http://www.afdc.energy.gov/laws/eisa>.

¹⁹ Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007*. Accessed September 10, 2021. <http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf>.

electricity) during operation, primarily from lighting and electric vehicle (EV) charging , as well as gasoline for vehicle trips to and from the site. **(New Less than Significant Impact)**

Construction

The estimated construction schedule assumes that the project would be built over a period of approximately 13 months. The project would require site preparation, grading, trenching, paving, and building construction. The overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. That is, equipment and fuel would not be used wastefully on the site because of the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, the opportunities for future efficiency gains during construction are limited. Per General Plan Policy MS-14.3 and MS-2.11, the project would implement the City’s Green Building Policies to ensure that construction of the project meets industry best practices, and techniques are applied to maximize energy performance at the construction stage. The City’s Zero Waste Strategic Plan would be implemented at a project level to enhance construction and demolition debris recycling, thus increasing diversion from landfills and further contributing to the energy efficiency of the project’s construction activities. Therefore, construction of the proposed project would not consume energy in a manner that is wasteful, inefficient, or unnecessary. **(New Less than Significant Impact)**

Operation

Electricity and Natural Gas

The proposed project would use approximately 200,835 kilowatt-hours per year according to CalEEMod.²⁰ Electricity would be used on-site for lighting of the proposed parking structure and EV charging. The proposed parking structure would not use any natural gas. The project would include solar panels on the fourth level. Given that the project would include a renewable energy source and would not require a substantial amount of energy for operation, the proposed parking garage would not use energy wastefully or inefficiently.

Transportation Energy

The proposed parking structure would not increase the number of students or employees on the BCP campus. While the project would result in a greater number of available parking spaces on campus, the project would not affect the number of vehicle trips made to and from the BCP campus because there would not be a greater number of students or employees traveling to and from the BCP campus. Thus, the project would not result in an increase of gasoline consumed by vehicles making trips to and from the BCP campus. Additionally, the project would include 35 EV charging stations, providing for an increased opportunity for EVs on the BCP campus. **[(New Less than Significant Impact)**

3.4.4.2 Renewable Energy and Energy Efficiency Plans (Checklist Question 2)

Statewide energy efficiency and renewable energy goals are set forth in the California Renewables Portfolio Standard Program, which is one of California’s key programs for advancing renewable

²⁰ Illingworth & Rodkin, Inc. *Bellarmine Parking Structure Construction Community Risk Assessment – Attachment 2: CalEEMod Modeling Inputs and Outputs*. August 31, 2021.

energy. The CEC verifies the eligibility of renewable energy procured by all entities serving retail sales of electricity in California, as these entities are obligated to participate and report energy portfolios to the CEC to comply with the Renewables Portfolio Standard Program.²¹ Electricity would be provided to the project by SJCE from sources of renewable and carbon-free power including wind, solar, geothermal, and hydroelectric. As described above, SJCE is subject to verification by the CEC as an electricity-providing entity. By sourcing electricity from SJCE, in addition to complying with statewide and local energy efficiency requirements, the project would be compliant with statewide energy goals as set forth in the California Renewables Portfolio Standard Program.

The proposed project would be required to comply with various local policies and regulations adopted to improve energy efficiency in new developments and increase utilization of renewable energy sources, including the City’s Green Building Program, Private Sector Green Building Policy, GHG Reduction Strategy, Climate Smart San José, Reach Code and General Plan energy policies. Implementation of local policies and regulations would ensure the project is compliant with regional and statewide energy efficiency and renewable energy plans and policies, such as the California Public Utilities Commission’s California Long Term Energy Efficiency Strategic Plan (General Plan Policy MS-14.3) and CALGreen (City of San José Building Code). By adhering to adopted policies and regulations and sourcing electricity from SJCE, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(New Less than Significant Impact)**

²¹ California Energy Commission. “Renewables Portfolio Standard – Verification and Compliance.” Accessed June 18, 2020. <https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard/renewables-portfolio-standard>

3.5 GREENHOUSE GAS EMISSIONS

The following discussion is based, in part, on a 2030 Greenhouse Gas Reduction Strategy Compliance Checklist prepared for the project by the project applicant. A copy of this checklist is included in Appendix C of this Addendum.

3.5.1 Environmental Setting

3.5.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO₂ equivalents (CO₂e). The most common GHGs are carbon dioxide (CO₂) and water vapor but there are also several others, most importantly methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO₂ and N₂O are byproducts of fossil fuel combustion.
- N₂O is associated with agricultural operations such as fertilization of crops.
- CH₄ is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF₆ emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

3.5.1.2 *Regulatory Framework*

State

Assembly Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO₂e (MMTCO₂e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO₂e.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2040. Plan Bay Area 2040 establishes a course for reducing per capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The

Guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Climate Smart San José

Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community. The City approved goals and milestones in February 2018 to ensure the City can substantially reduce GHG emissions through reaching the following goals and milestones:

- All new residential buildings will be Zero Net Carbon Emissions (ZNE) by 2020 and all new commercial buildings will be ZNE by 2030 (Note that ZNE buildings would be all electric with a carbon-free electricity source).
- San Jose Clean Energy (SJCE) will provide 100-percent carbon-free base power by 2021.
- One gigawatt of solar power will be installed in San Jose by 2040.
- 61 percent of passenger vehicles will be powered by electricity by 2030.

Reach Building Code

In 2019, the San José City Council approved Ordinance No. 30311 and adopted Reach Code Ordinance (Reach Code) to reduce energy related GHG emissions consistent with the goals of Climate Smart San José. The Reach Code applies to new construction projects in San Jose. It requires new residential construction to be outfitted with entirely electric fixtures. Mixed-fuel buildings (i.e., use of natural gas) are required to demonstrate increased energy efficiency through a higher Energy Design Ratings and be electrification ready. In addition, the Reach Code requires EV charging infrastructure for all building types (above current CalGreen requirements), and solar readiness for non-residential buildings.

San José 2030 Greenhouse Gas Reduction Strategy

The 2030 GHGRS is the latest update to the City's GHGRS and is designed to meet statewide GHG reduction targets for 2030 set by Senate Bill 32. As a qualified Climate Action Plan, the 2030 GHGRS allows for tiering and streamlining of GHG analyses under CEQA. The GHGRS identifies General Plan policies and strategies to be implemented by development projects in the areas of green building/energy use, multimodal transportation, water conservation, and solid waste reduction. Projects that comply with the policies and strategies outlined in the 2030 GHGRS, would have less than significant GHG impacts under CEQA.²²

Envision San José 2040 General Plan

The following General Plan policies are related to GHG emissions and are applicable to the proposed project:

²² City of San José. Greenhouse Gas Reduction Strategy. November 2020. <https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/greenhouse-gas-reduction-strategy>.

Envision San José 2040 General Plan Relevant Greenhouse Gas Policies

Policy	Description
Action MS-2.11	Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically, target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy performance), through architectural design (e.g., design to maximize cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize the effectiveness of passive solar design).
MS-14.4	Implement the City’s Green Building Policies so that new construction and rehabilitation of existing buildings fully implements 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.

3.5.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns.

Currently, GHGs are emitted on-site through electricity use for lighting of the existing surface parking lot and from vehicle trip to and from the project site.

3.5.2 Impact Discussion

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

3.5.2.1 *BAAQMD Significance Thresholds*

The BAAQMD CEQA Air Quality Guidelines do not use quantified thresholds for projects that are in a jurisdiction with a qualified adopted GHG reductions plan (i.e., a Climate Action Plan). Such a qualified Climate Action Plan should address emissions reductions with the associated period that the project would operate (e.g., beyond year 2020). As described previously, the City recently updated its GHG Reduction Strategy to account for GHG emissions reduction targets through 2030. Projects

which would not be fully operational prior to 2030 would require quantification of GHG emissions and comparison to a service population threshold which reflects a future emissions reduction target.

3.5.3 Greenhouse Gas Emissions Impacts of the Approved Project

At the time of preparation of the Master Plan IS/MND, the CEQA checklist did not include GHG emissions and, therefore, the GHG emissions impacts of the Master Plan were not analyzed at that time. The GHG emissions section has since been added to the CEQA checklist. The discussion below provides an analysis for only the proposed parking garage. Components of the Master Plan that have been implemented are now considered part of the existing environment. The purpose of CEQA is to inform decision-makers and the general public about the potential environmental impacts of a project before discretionary action is taken. Therefore, only the current project, the proposed parking garage is analyzed in this Addendum and the GHG emissions impacts of the overall Master Plan are not discussed.

3.5.4 Greenhouse Gas Emissions Impacts of the Proposed Project

3.5.4.1 *GHG Emissions (Checklist Question 1)*

GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic and energy usage. Emissions for the proposed project are discussed below and were analyzed using the methodology recommended in the BAAQMD CEQA Air Quality Guidelines.

Construction Emissions

The proposed development would result in minor increases in GHGs associated with construction activities, including operation of construction equipment and emissions from construction workers' personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary depending on the level of activity, length of construction period, types of equipment, etc. Neither the City nor BAAQMD have an adopted threshold of significance for construction related GHG emissions. BAAQMD encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable. Best management practices assumed to be incorporated into construction of the project include but are not limited to using local building materials (at least ten percent) and recycling or reusing at least 50 percent of construction waste or demolition materials. Because project construction would be temporary and would not result in a permanent increase in GHG emissions that would interfere with the implementation of SB 32, the increase in emissions would be considered less than significant.

Operational Emissions

As previously discussed, the recently adopted 2030 GHGRS uses Envision San José 2040 General Plan land use designations as the basis from which to prepare its emissions forecasts. As the project is consistent with the General Plan land use designations for the site, GHG emissions generated by the project would be covered by the 2030 GHGRS, which is considered a qualified Climate Action Plan. On a qualitative basis, the project's emissions would be considered less than significant, given they are covered by a qualified Climate Action Plan. **(New Less than Significant Impact)**

3.5.4.2 *Consistency with GHG Reduction Plans, Policies, and Regulations (Checklist Question 2)*

CARB

The proposed project would not conflict or otherwise interfere with the statewide GHG reduction measures identified in CARB's Scoping Plan. For example, the proposed parking structure would be constructed in conformance with CALGreen and the Title 24 Building Code.

Envision San José 2040 General Plan

The project is consistent with the General Plan policies identified in Section 4.8.1.2 Regulatory Framework to reduce GHG emissions by:

- Constructing in accordance with CALGreen and Title 24
- Implementing best management practices

Additionally, the project site is served by existing pedestrian, bicycle, and transit facilities with regional connections. The alternative modes of transportation available in the area would help reduce GHG emissions. The proposed project would be consistent with the City's General Plan policies intended to reduce GHG emissions.

For these reasons, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

2030 Greenhouse Gas Reduction Strategy Compliance Checklist

The City of San José's GHGRS is the primary benchmark used for assessing whether the proposed project would contribute significantly to GHG emissions in the region. The GHGRS was developed in accordance with the BAAQMD CEQA Guidelines and with CEQA Guidelines Section 15183.5, where GHG Reduction Plans are specifically addressed.

The proposed project would contribute to regional GHG emissions, both through construction and operational emissions. Consistency with the GHGRS Compliance Checklist would ensure that the project complies with the City's GHGRS. The project would be consistent with the GHGRS by including solar panels on the fourth level, using water efficient landscaping, including EV charging stations, and planting new street trees in compliance with City standards. **(New Less than Significant Impact)**

3.6 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on a Preliminary Soil Quality Investigation prepared for the project by Cornerstone Earth Group, Inc., dated July 2021. A copy of this report is included in Appendix D1 of this Addendum.

3.6.1 Environmental Setting

3.6.1.1 *Regulatory Framework*

Federal

Federal Aviation Regulations, Part 77

Federal Aviation Regulations, Part 77, “Objects Affecting Navigable Airspace” (FAR Part 77) sets standards and review requirements for protecting the airspace for safe aircraft operations. The FAR Part 77 restricts the height of structures and sets standards for minimization of potential hazards like reflective surfaces, flashing lights, and electronic interference, that could potentially interfere with aircraft operations. Building height structures are intended to keep flight paths clear of structures that could interfere with takeoff and landing movements.

Local

Norman Y. Mineta San José International Airport Comprehensive Land Use Plan

The Norman Y. Mineta San José International Airport is located approximately one-half mile north of the project site and is within the Airport Influence Area (AIA) of the County of Santa Clara Airport Land Use Commission’s (ALUC) Comprehensive Land Use Plan (CLUP). Development within the AIA can be subject to hazards from aircraft and also pose hazards to aircraft travelling to and from the airport. The ALUC adopted the CLUP to address these potential hazards and establish review procedures for potentially incompatible land uses.

The AIA is a composite of areas surrounding the airport that are affected by noise, height and safety considerations. These hazards are addressed in federal and state regulations as well as in land use regulations and policies in the CLUP. The CLUP set standards focused on three areas of ALUC responsibility: noise, objects in navigable airspace, and the safety of persons on the ground and in aircraft. Projects within the AIA are subject to an additional level of review by the City to determine how policies established in the CLUP may impact the proposed development.

Envision San José 2040 General Plan

The following General Plan policies are related to hazards and hazardous materials and are applicable to the proposed project:

Envision San José 2040 General Plan Relevant Hazards and Hazardous Materials Policies

Policy	Description
CD-5.8	Comply with applicable Federal Aviation Administration regulations identifying maximum heights for obstructions to promote air safety.
TR-14.2	Regulate development in the vicinity of airports in accordance with Federal Aviation Administration regulations to maintain the airspace required for the safe operation of these facilities and avoid potential hazards to navigation.

3.6.1.2 Existing Conditions

Based on information on the State GeoTracker database, the northernmost corner of the project site was formerly developed with a gasoline service station between 1931 and 1981. Soil and groundwater sampling conducted in 1996, 2003, 2006, and 2007 indicated that contamination related to the underground storage tanks (USTs) was present throughout the area occupied by the service station. In April 2009 remedial actions were taken and the USTs were removed from the project site. The County of Santa Clara Department of Environmental Health (SCCDEH) closed the case in October 2012. The closure documentation recognized that residual contamination on-site could pose an unacceptable risk under future development conditions and that future development activities on-site would be required to notify the County with a statement that residual contamination exists on-site and a list of all mitigation actions to be taken. A copy of the case closure letter is included in Appendix D2 of this Addendum.

Soil-sampling on-site conducted by Cornerstone Earth Group, Inc. detected concentrations of organochlorine pesticides, total petroleum hydrocarbons as diesel, and polyaromatic hydrocarbons. However, none of these materials exceeded their respective Environmental Screening Criteria. Metals were also detected in the soils on-site in concentrations below their respective Environmental Screening Criteria and/or were typical of regional background concentrations.

Other Hazards

Airports

The project site is located approximately one-half mile south of the Norman Y. Mineta San José International Airport. The proposed project is located within the AIA of the airport and would be subject to the height and safety policies set forth in the ALUC's Comprehensive Land Use Plan (CLUP) for the airport. For the project site, federal regulations require that any proposed structure of more than approximately 20 feet above ground to undergo FAA airspace safety review either prior to, or as a condition of, City permit approval. Therefore, given that the project would reach a maximum height of approximately 42 feet at the top of the solar panels on the fourth level, the project would be required to undergo FAA airspace safety review.

Wildfire

The project site is not located within a Fire Hazard Severity Zone (FHSZ).²³

3.6.2 Impact Discussion

	New Less than Significant Impact with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”
Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.6.3 Hazards and Hazardous Materials Impacts of the Approved Project

The Master Plan IS/MND included standard measures to reduce impacts due to the presence of asbestos-containing materials (ACMs) and lead-based paint (LBP).

²³ CalFire. “Fire Hazard Severity Zones Maps”. Accessed September 29, 2021.
<https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

The Master Plan IS/MND did not identify significant airport safety impacts or wildfire hazards.

3.6.4 Hazards and Hazardous Materials Impacts of the Proposed Project

3.6.4.1 *Hazardous Material Impacts (Checklist Questions 1 through 4)*

Project construction would involve demolition of the existing parking lot and site grading. Soil samples taken in July 2021 indicated that there are no hazardous materials present in concentrations that would pose a risk to human health. Therefore, there would no risks associated with earth-moving project construction activities due to hazardous materials. While the project is located on a site listed in the Cortese List, remedial actions have been previously undertaken and the cleanup case is considered closed.

The project is located on a school campus; however, project construction would result in less than significant health risk impacts due to construction emissions (see Section 3.2 Air Quality). Project operation would not involve the use of hazardous materials. Therefore, the project would have a less than significant impact hazardous materials impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.6.4.2 *Airport Safety Impacts (Checklist Question 5)*

As previously discussed, the proposed project would be subject to the safety policies of the CLUP and FAA. The project would be required, under FAA regulations, to obtain a Determination of No Hazard to Air Navigation. The following condition of approval will be included in the project to ensure that this FAA clearance is accomplished:

Condition of Approval:

FAA Clearance. In compliance with federal regulations, the permittee shall obtain from the Federal Aviation Administration (FAA) a “Determination of No Hazard to Air Navigation” for the proposed parking garage prior to City issuance of any grading or building permit for installation.

- a. The permittee shall initiate the FAA review process via filing of FAA Form 7460-1 (“Notice of Proposed Construction or Alteration”) for the proposed parking garage. The technical data on the FAA form shall be prepared by a licensed civil engineer or surveyor using latitude/longitude coordinates in NAD83 datum out to hundredths of seconds and elevation in NAVD88 datum rounded off to next highest foot.
- b. Any condition set forth in the FAA determination requiring physical alteration, addition of obstruction lighting, or filing of FAA Form 7460-2 (“Notice of Actual Construction or Alteration”) upon project completion shall be incorporated into PD19-001 through a required Permit Adjustment prior to submittal of a building permit application.

With the implementation of the FAA clearance condition of approval described above, the project will result in a less than significant airport safety impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.6.4.3 *Emergency Response Plan (Checklist Question 6)*

The proposed parking structure would be built in accordance with current building and fire codes to ensure structural stability and safety. In addition, the San José Fire Department would review the site development plans to ensure fire protection design features are incorporated and adequate emergency access is provided. For these reasons, the proposed project would not impair implementation of or physically interfere with the City's San José Emergency Operations and Evacuation Plans. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.6.4.4 *Wildfire Hazards (Checklist Question 7)*

The project site is not located within a Fire Hazard Severity Zone as designated by the State of California Department of Forestry and Fire Protection. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.7 HYDROLOGY AND WATER QUALITY

3.7.1 Environmental Setting

3.7.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff

discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.²⁴ Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

2016 Groundwater Management Plan

This 2016 Groundwater Management Plan (GWMP) describes the Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include

²⁴ MRP Number CAS612008

natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by the District's comprehensive water supply management activities to reliably meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu recharge through the provision of treated surface water, acquisition of supplemental water supplies, and water conservation and recycling.²⁵

Post-Construction Urban Runoff Management (City Council Policy No. 6-29)

The City of San José's Policy No. 6-29 implements the stormwater treatment requirements of Provision C.3 of the MRP. City Council Policy No. 6-29 requires new development and redevelopment projects to implement post-construction Best Management Practices (BMPs) and Treatment Control Measures (TCMs). This policy also established specific design standards for post-construction TCMs for projects that create or replace 10,000 square feet or more of impervious surfaces.

Post-Construction Hydromodification Management (City Council Policy No. 8-14)

The City of San José's Policy No.8-14 implements the hydromodification management requirements of Provision C.3 of the MRP. Policy No. 8-14 requires new development and redevelopment projects that create or replace one acre or more of impervious surface area and are located within a subwatershed that is less than 65 percent impervious, to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt generation, or other impacts to local rivers, streams, and creeks. The policy requires these projects to be designed to control project-related hydromodification through a Hydromodification Management Plan (HMP). Projects that do not meet the minimum size threshold, drain into tidally influenced areas or directly into the Bay, or are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious would not be subject to the HMP requirement.

Dam Safety

Since August 14, 1929, the State of California has regulated dams to prevent failure, safeguard life, and protect property. The California Water Code entrusts dam safety regulatory power to California Department of Water Resources, Division of Safety of Dams (DSOD). The DSOD provide oversight to the design, construction, and maintenance of over 1,200 jurisdictional sized dams in California.²⁶

As part of its comprehensive dam safety program, Valley Water routinely monitors and studies the condition of each of its 10 dams. Valley Water also has its own Emergency Operations Center and a response team that inspects dams after significant earthquakes. These regulatory inspection programs reduce the potential for dam failure.

²⁵ Valley Water. *2016 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2016.

²⁶ California Department of Water Resources, Division of Safety of Dams. Accessed September 13, 2021.

[https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20\(DSOD\).](https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20(DSOD).)

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

Envision San José 2040 General Plan

The Envision San José 2040 General Plan includes the following policies that are specific to hydrology and water quality and applicable to the proposed project:

Envision San José 2040 General Plan Relevant Hydrology and Water Quality Policies

Policy	Description
EC-5.1	The City shall require evaluation of flood hazards prior to approval of development projects within a Federal Emergency Management Agency (FEMA) designated floodplain. Review new development and substantial improvements to existing structures to ensure it is designed to provide protection from flooding with a one percent annual chance of occurrence, commonly referred to as the “100-year” flood or whatever designated benchmark FEMA may adopt in the future. New development should also provide protection for less frequent flood events when required by the State.
EC-5.7	Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.
ER-8.1	Manage stormwater runoff in compliance with the City’s Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.
ER-8.3	Ensure that private development in San José includes adequate measures to treat stormwater runoff.
ER-8.4	Assess the potential for surface water and groundwater contamination and require appropriate preventative measures when new development is proposed in areas where storm runoff will be directed into creeks upstream from groundwater recharge facilities.
ER-8.5	Ensure that all development projects in San José maximize opportunities to filter, infiltrate, store and reuse or evaporate stormwater runoff onsite.
MS-3.5	Minimize area dedicated to surface parking to reduce rainwater that comes into contact with pollutants.
MS-20.3	Protect groundwater as a water supply source through flood protection measures and the use of stormwater infiltration practices that protect groundwater quality. In the event percolation facilities are modified for infrastructure projects, replacement percolation capacity will be provided.
IN-3.7	Design new projects to minimize potential damage due to storm waters and flooding to the site and other properties.
IN-3.9	Require developers to prepare drainage plans for proposed developments that define needed drainage improvements per City standards.

3.7.1.2 Existing Conditions

Hydrology and Drainage

The project site is located in the Guadalupe Watershed.²⁷ The Guadalupe Watershed covers a 170 square mile area and includes five rivers and creeks.²⁸ Stormwater within the Guadalupe Watershed drains to the Guadalupe River and its tributaries, flows northward, and eventually outfalls to the San Francisco Bay. The Guadalupe River is located approximately 0.6 miles northeast of the project at its nearest point.

The project site is relatively flat and is predominantly made up of impervious surfaces. Pervious surfaces within the project site are limited to landscaping along the border of and running through the center of the project site.

Groundwater

The project site is located within the Santa Clara groundwater subbasin.²⁹ Valley Water and local water suppliers monitor groundwater quality for a variety of parameters, including calcium, sodium, iron, nitrate, chloride, organic solvents, and gasoline additives (such as methyl-tert-butyl ether or MTBE) and look for concentrations above Maximum Contaminant Levels (MCLs) established by the EPA and State of California for drinking water.

Groundwater on-site conservatively exists at a depth of approximately eight feet below ground surface (bgs).³⁰ It should be noted that the groundwater levels fluctuate as a result of seasonal changes and hydrogeological variations such as groundwater pumping and/or recharging. Measurements made in July 2021 encountered groundwater at depths ranging from 17 to 19.5 feet bgs.³¹

Flooding and Other Inundation Hazards

The project site is not located in a 100-year floodplain, according to FEMA Flood Insurance Rate Maps for Santa Clara County.³² The project site is designated as Flood Zone D, which is defined as an area of undetermined flood hazard where no flood hazard analysis has been conducted. Flood Zone D is not a Special Flood Hazard Area; therefore, no requirements are placed on new development in this area by the City of San José or the County of Santa Clara as it relates to flood insurance and/or flood protection.

²⁷ City of San José. “Watershed Maps”. Accessed September 13, 2021. <https://www.sanjoseca.gov/your-government/environment/our-creeks-rivers-bay/watershed-maps>

²⁸ Valley Water. “Guadalupe Watershed Fast Facts”. Accessed September 13, 2021. [Guadalupe Watershed Fast Facts | Santa Clara Valley Water](#)

²⁹ Santa Clara Valley Water District. *2016 Groundwater Management Plan*. November 2016.

³⁰ Cornerstone Earth Group, Inc. *Geotechnical Investigation for Bellarmine College Preparatory Emory Street Parking Garage*. July 21, 2021.

³¹ Ibid.

³² Federal Emergency Management Agency. “FEMA Flood Map Service Center”. Accessed September 13, 2021. <https://msc.fema.gov/portal/search?AddressQuery=14001%20Parkmoor%20Avenue%2C%20San%20Jose%2C%20California#searchresultsanchor>

Due to the project site’s inland location and distance from large bodies of water (i.e., the San Francisco Bay), it is not subject to seiche or tsunami hazards.

3.7.2 Impact Discussion

	New Less than Significant Impact with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.7.3 Hydrology and Water Quality Impacts of the Approved Project

Project Construction

The Master Plan IS/MND determined that project construction would have a less than significant impact on water quality with implementation of the mitigation measures based on RWQCB BMPs.

Consistent with the Master Plan mitigation measures, the following Standard Permit Conditions will be required by the project:

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Suspend earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- Water all exposed or disturbed soil surfaces at least twice daily to control dust, as necessary.
- Water or cover stockpiles of soil or other materials that can be blown by the wind.
- Cover all trucks hauling soil, sand, and other loose materials and maintain at least two feet of freeboard on all trucks.
- Sweep all paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites daily (with water sweepers).
- Replant vegetation in disturbed areas as quickly as possible.
- Prior to construction grading, the applicant will file a “Notice of Intent” (NOI) to comply with the General Permit administered by the RWQCB and will prepare a Stormwater Pollution Prevention Plan (SWPPP) which addressed measures that would be included in the amendment to minimize and control construction and post-construction runoff.
- The applicant will submit a copy of the SWPPP to the City of San José for review and approval prior to project construction. The certified SWPPP will be posted at the site and will be updated to reflect current site conditions.

Post-Construction

Build out of the Master Plan was required to conform to City Council Policy 6-29 because it would add or replace more than 10,000 square-feet of impervious surfaces. The Master Plan IS/MND found the project to have less than significant post-construction impact on water quality with implementation of the following mitigation measures to ensure compliance with the NPDES permit requirements:

- When the construction phase is complete, a Notice of Termination (NOT) for the General Permit will be filed with the RWQCB and the City of San José. The NOT will document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in the SWPPP for the project site.
- All post-construction treatment control measures (TCMs) will be installed, operated, and maintained by qualified personnel. On-site inlets will be stenciled in conformance with City requirements and cleaned out a minimum of once per year, prior to the wet season.
- The property owner/site manager will keep a maintenance and inspection schedule and record to ensure that the TCMs continue to operate effectively for the life of the project. Copies of the schedule and record must be provided to the City upon request and must be made available for inspection on-site at all times.

3.7.4 Hydrology and Water Quality Impacts of the Proposed Project

3.7.4.1 *Water Quality (Checklist Question 1)*

Project Construction

Construction activities, such as grading and excavation, have the potential to result in temporary impacts to surface water quality in local waterways. When disturbance to the soil occurs, sediments may be dislodged and discharged to the storm drainage system, carried by surface runoff flows across the site. Construction of the proposed parking structure would disturb more than one-acre of soil and, therefore, would be required to conform with the Construction General Permit.

Additionally, the project would be required to comply with the City's Grading Ordinance, which requires the use of erosion and sediment controls to protect water quality during construction. The purpose of the City's Grading Ordinance is to ensure that private property is graded so that it would drain properly, not impact adjacent properties and not create erosion problems. Improper grading can result in localized flooding, landslides, and differential settlement. These problems not only affect the graded property but can also impact adjacent properties. To ensure that grading operations do not impact the local creeks and storm drainage systems during the winter months, any grading occurring between October 1 and April 30 requires an approved erosion control plan. Implementation of the BMPs described in the Master Plan IS/MND, and listed above, would ensure that construction of the proposed parking structure would not degrade water quality or violate water quality standards.

Post-Construction

Development of the project site as proposed would result in the replacement of more than 10,000 square feet of impervious surface area. The project, therefore, would be subject to Provision C.3 of the MRP and the City's Post-Construction Urban Runoff Management Policy (Policy 6-29). These regulations require the incorporation of site design measures, source controls, and runoff treatment controls into the design of new or redevelopment projects in order to minimize pollutant loads and reduce velocities of off-site stormwater discharges to local receiving waters. To comply with these regulations, the project includes a bioretention pond to treat stormwater runoff. Therefore, the project would comply with existing regulation and would not result in a significant water quality impact.

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

3.7.4.2 *Groundwater Depletion (Checklist Question 2)*

The project site is located within the Santa Clara groundwater subbasin. Groundwater exists on-site conservatively at a depth of approximately eight feet bgs. The project does not propose any below-grade parking levels. Therefore, project construction would not require substantial excavation and would be limited to minor trenching to establish utility connections. If groundwater is encountered during excavation, any necessary construction dewatering would follow local and regional requirements for safe transport and disposal of dewatered groundwater. Per the San José Municipal Code (Section 15.14.545), water discharged to the sanitary sewer from construction dewatering requires a permit by the City of San José Environmental Service Department Watershed Protection Division. The maximum duration of a short-term permit to discharge to the sanitary sewer is one year. Discharge to the storm drain system requires approval from the RWQCB and the City's

Environmental Services Division. If construction dewatering occurs, it would be temporary in nature and would not substantially reduce groundwater supplies or affect groundwater quality in the area.

Project operation would not involve water use, and thus, would not result in the depletion of groundwater resources. The project site is not located on or adjacent to one of the Valley Water's major groundwater recharge systems.³³ Therefore, development on the site would not interfere with groundwater recharge activities or substantially deplete groundwater levels. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.7.4.3 *Drainage Patterns (Checklist Question 3)*

There are no waterways on the project site and the project would not result in the alteration of the course of a stream or river. While the impervious surface areas and associated stormwater runoff from the site would increase, runoff volume and rates would be reduced through post-construction treatment control measures in compliance with the MRP. The project is located on relatively flat terrain, thus a significant increase in erosion or siltation due to runoff from the site is not expected. The proposed project would not substantially alter the drainage pattern of the site and surrounding areas. Runoff from the site would be treated in the proposed bioretention pond prior to release into the City's drainage system, thereby ensuring the project does not result in a substantial additional source of polluted runoff.

The project would not create a substantial increase in stormwater runoff on-site that would exceed the capacity of the existing stormwater drainage system. Prior to permit issuance, the City's Public Works Department would review the proposed development for adequate connections and capacity to the City's storm drain system. For these reasons, the proposed project would not result in a significant drainage impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.7.4.4 *Project Inundation (Checklist Question 4)*

As discussed above in Section 3.8.1.2, the project site is not subject to the 100-year flood, tsunamis, or seiches. For these reasons, the project would not risk release of substantial pollutants due to inundation. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.7.4.5 *Water Quality Control Plans and Sustainable Groundwater Management Plans (Checklist Question 5)*

Valley Water prepared a Groundwater Management Plan (GMP) for the Santa Clara subbasin in 2016, describing its comprehensive groundwater management framework including objectives and strategies, programs and activities to support those objectives, and outcome measures to gauge performance. The GMP is the guiding document for how Valley Water will ensure groundwater basins within its jurisdiction are managed sustainably. The Santa Clara subbasin has not been identified as a groundwater basin in a state of overdraft. The project site is not located within, or adjacent to, a Valley Water groundwater recharge pond or facility.³⁴ Implementation of the proposed project, therefore, would not interfere with any actions set forth by the Valley Water in its GMP in regard to groundwater recharge, transport of groundwater, and/or groundwater quality.

³³ Valley Water. *2016 Groundwater Management Plan*. Figure 1-3. 2016.

³⁴ Ibid.

The RWQCB updates its Basin Plan triennially to reflect current conditions and track progress towards meeting water quality objectives. Development of the project would comply with the Construction General Permit, the MRP, and City policies and codes regarding stormwater runoff and water quality. By adhering to these policies and regulations the proposed project would not prevent the RWQCB from attaining the water quality objectives set forth in the Basin Plan.

Based on the above discussion, the project would not conflict with the GMP or Basin Plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.8 NOISE

The following discussion is based, in part, on a Construction Noise and Vibration Assessment prepared for the project by Illingworth & Rodkin, Inc., dated August 2021. A copy of this report is included in Appendix E of this Addendum.

3.8.1 Environmental Setting

3.8.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise Guidelines are generally expressed using one of several noise averaging methods, including L_{eq} , DNL, or CNEL.³⁵ These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

³⁵ L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq} .

3.8.1.2 *Regulatory Framework*


Local


Envision San José 2040 General Plan


The General Plan includes the following noise policies applicable to the proposed project. The City’s Noise and Land Use Compatibility Guidelines are shown in Table 3.4-1, below.

Table 3.4-1: Land Use Compatibility Guidelines for Community Noise in San José						
Land Use Category	Exterior DNL³⁶ Value in Decibels					
	55	60	65	70	75	80
1. Residential, Hotels and Motels, Hospitals and Residential Care ¹						
2. Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds						
3. Schools, Libraries, Museums, Meeting Halls, and Churches						
4. Office Buildings, Business Commercial, and Professional Offices						
5. Sports Arena, Outdoor Spectator Sports						
6. Public and Quasi-Public Auditoriums, Concert Halls, and Amphitheaters						

¹Noise mitigation to reduce interior noise levels pursuant to Policy EC-1.1 is required.

 **Normally Acceptable:**
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

 **Conditionally Acceptable:**
Specified land use may be permitted only after detailed analysis of the noise reduction requirements and noise mitigation features included in the design.

 **Unacceptable:**
New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies. Development would only be considered when technically feasible mitigation is identified that is also compatible with relevant design guidelines.

³⁶ DNL (or Ldn) stands for Day-Night Level and is a 24-hour average of noise levels, with 10 dB penalties applied to noise occurring between 10:00 PM and 7:00 AM.

Envision San José 2040 General Plan Relevant Noise Policies

Policy	Description
EC-1.2	<p>Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Categories 1, 2, 3 and 6) by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would:</p> <ul style="list-style-type: none"> • Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain “Normally Acceptable;” or • Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the “Normally Acceptable” level.
EC-1.3	<p>Mitigate noise generation of new non-residential land uses to 55 dBA DNL at the property line when located adjacent to existing or planned noise-sensitive residential and public/quasi-public land uses.</p>
EC-1.7	<p>Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City’s Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:</p> <ul style="list-style-type: none"> • Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. • For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.
EC-2.3	<p>Require new development to minimize continuous vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, including ruins and ancient monuments or building that are documented to be structurally weakened, a continuous vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A continuous vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction. Equipment or activities typical of generating continuous vibration include but are not limited to excavation equipment; static compaction equipment; vibratory pile drivers; pile-extraction equipment; and vibratory compaction equipment. Avoid use of impact pile drivers within 125 feet of any buildings, and within 300 feet of historical buildings, or buildings in poor condition. On a project-specific basis, this distance of 300 feet may be reduced where warranted by a technical study by a qualified professional that verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new</p>

Envision San José 2040 General Plan Relevant Noise Policies

Policy	Description
	development during demolition and construction. Transient vibration impacts may exceed a vibration limit of 0.08 in/sec PPV only when and where warranted by a technical study by a qualified professional that verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new development during demolition and construction.

Municipal Code – Construction Standards

Chapter 20.100.450 of the Municipal Code establishes allowable hours of construction within 500 feet of a residential unit between 7:00 a.m. to 7:00 p.m. on Monday through Friday, unless otherwise expressly allowed in a Development Permit or other planning approval. The Municipal Code does not establish quantitative noise limits for demolition or construction activities occurring in the City.

The Zoning Ordinance limits noise levels to 55 dBA L_{eq} at any residential property line and 60 dBA L_{eq} at commercial property lines, unless otherwise expressly allowed in a Development Permit or other planning approval.

3.8.2 Existing Conditions

Existing noise sources at the project site primarily consist of vehicle traffic along Stockton Avenue and train activity at the College Park Caltrain Station, located approximately 145 feet north of the project site. The Norman Y. Mineta San José International Airport is located approximately 0.6 miles north of the project site. The project site falls between the 2022 65 dBA and 70 dBA CNEL noise contours established in the Norman Y. Mineta San José International Airport Master Plan.

3.8.3 Checklist Questions

	New Less than Significant Impact with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	New Less than Significant Impact with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"
Would the project result in:				
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.8.4 Noise and Vibration Impacts of the Approved Project

The Master Plan IS/MND did not identify significant noise and vibration impacts. Standard construction measures and noise reduction measures included as components of the project were found to sufficiently reduce significant construction- and traffic-related noise impacts. Standard construction methods were found to adequately maintain interior noise levels at or below 45 dBA, in accordance with City policy. The previous campus expansion did not result in significant noise impacts, either from project-generated traffic, construction, or operation of the buildings proposed under the Master Plan.

3.8.5 Noise and Vibration Impacts of the Proposed Project

3.8.5.1 Project Noise Impacts (Checklist Question 1)

Construction

Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. The proposed parking structure would be built over a period of approximately 13 months. The construction of the proposed project would involve demolition, site preparation, grading/excavation, trenching/foundation, building structure/exterior, and paving. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary by stage and vary within stages, based on the amount of equipment in operation and the location at which the equipment is operating. These construction activities, along with the respective levels expected from each phase of construction are summarized in Table 3.8-1, below.

Construction Phase	Total Calculated (dBA) at 50 feet	
	L _{max} *	L _{eq}
Demolition	90	86
Site Preparation	85	84
Grading/Excavation	85	86
Trenching/Foundation	84	83

Building Structure/Exterior	81	75
Paving	84	83
*L _{max} is the value for the loudest piece of equipment.		

The nearest existing residences are located at approximately 150 feet south, from the center of the project site. At the nearest residence, therefore, maximum noise levels generated by project construction would be less than the volumes shown in the table. Construction-generated noise levels drop off at a rate of about 6 dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain can provide an additional 5 to 10 dBA noise reduction at distant receptors. Thus, project construction would typically range from about 71 to 80 dBA L_{max}, and hourly average noise levels would typically range from about 65 to 76 dBA L_{eq} at a distance of 150 feet.

Ambient noise levels at the surrounding land uses would be substantially increased during various times throughout the duration of construction. Pursuant to Policy EC-1.7 of the City’s General Plan, the temporary construction impact would be significant because the project would involve substantial noise generating activities continuing for more than 12 months.

Impact NOI-1: In accordance with General Plan Policy EC-1.7, temporary noise increases due to project construction would be considered significant as the construction activity would involve substantial noise-generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) within 500 feet of residential uses and 200 feet of commercial uses continuing for more than 12 months.

Since completion of the Master Plan IS/MND, the City of San José has refined their Standard Permit Conditions compared to the measures included in the approved project. As such, the project would implement the following Standard Permit Conditions, currently required for all projects in San José.

Standard Permit Condition:

1. Pursuant to General Plan Policy EC-1.7 and consistent with the approved Master Plan IS/MND, project construction operations shall use best available noise suppression devices and techniques including, but not limited to the following:
 - Limit construction hours to between 7:00 AM and 7:00 PM, Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence. 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 PBCE that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
 - Construct solid plywood fences around construction sites adjacent to operational business, residences, or other noise-sensitive land uses.
 - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Prohibit unnecessary idling of internal combustion engines.
- Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
- Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to adjacent land uses and nearby residences.
- If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.
- Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to current the problem, Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Implementation of the City’s Standard Permit Conditions would reduce the project’s construction noise impacts to a less than significant level.

Project Operation

Operational sources of noise on-site would be primarily associated with vehicles traveling to and from the proposed parking structure. While the project would not result in a net increase of overall vehicle trips to and from the BCP campus, the project would result in a greater maximum number of vehicles that can be parked within the project site. However, it can be assumed that not all vehicles parked on-site would be operating at once. Noise from project operation would be similar to the existing ambient noise at the parking lot on-site. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.8.5.2 *Project Vibration Impacts (Checklist Question 2)*

According to Policy EC-2.3 of the City of San José General Plan, a vibration limit of 0.08 in/sec PPV shall be used to minimize the potential for cosmetic damage to sensitive historical structures, and a vibration limit of 0.2 in/sec PPV shall be used to minimize damage at buildings of normal conventional construction. Cosmetic damage (also known as threshold damage) is defined as hairline cracking in plaster, the opening of old cracks, the loosening of paint or the dislodging of loose objects. Minor damage is defined as hairline cracking in masonry or the loosening of plaster. Major structural damage is defined as wide cracking or the shifting of foundation or bearing walls.

Foundation construction techniques involving impact or vibratory pile driving, which can cause excessive vibration, are not anticipated as part of the project. The 0.2 in/sec PPV vibration limit would be applicable to properties in the immediate vicinity of the project site since the only historic structure nearby is about 200 feet away (773 Asbury Street) according to the San Jose Historic Resource Inventory. Structures surrounding the site are assumed to be of normal conventional construction and would be 50 feet or more from areas of the site where heavy equipment would be used. Table 3.8-2 presents typical vibration levels that could be expected from construction equipment at 25 feet and summarizes the expected vibration levels at residences bordering the site and at 773 Asbury Street.

Table 3.8-2: Construction Vibration Levels at Nearby Buildings				
Equipment		PPV (in/sec)		
		Source Level (25 ft)	South Residences (50 ft)	773 Ashbury Street (200 ft)
Clam Shovel Drop		0.202	0.094	0.021
Hydromill (slurry wall)	In soil	0.008	0.004	0.001
	In rock	0.017	0.008	0.002
Vibratory Roller		0.210	0.098	0.021
Hoe Ram		0.089	0.042	0.009
Large Bulldozer		0.089	0.042	0.009
Caisson Drilling		0.089	0.042	0.009
Loaded Trucks		0.076	0.035	0.008
Jackhammer		0.035	0.016	0.004
Small Bulldozer		0.003	0.001	<0.001

As shown in Table 3.8-2, above, project-generated vibration levels would fall below the 0.2 in/sec PPV threshold at all surrounding residential buildings. Neither threshold, cosmetic, minor, or major damage would occur beyond 25 feet. At these locations and in other surrounding areas where vibration would not be expected to cause structural damage, vibration levels may still be perceptible. However, as with any type of construction, this would be anticipated and would not be considered significant, given the intermittent and short duration of the phases that have the highest potential of producing vibration. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.8.5.3 Airport Noise (Checklist Question 3)

Norman Y. Mineta San José International Airport is located approximately 0.6 miles north of the project site. The project site would experience noise from aircraft flyovers. The Santa Clara County Airport Land Use Commission considers land uses for parking generally acceptable in noise environments of 70 dBA CNEL or less.³⁷ The project site falls between the 2022 65 dBA and 70

³⁷ County of Santa Clara. *Norman Y. Mineta San José International Airport Comprehensive Land Use Plan*. Adopted May 25, 2011. Amended November 16, 2016.

dBA CNEL noise contours established in the Norman Y. Mineta San José International Airport Master Plan. Noise generated by aircraft flyovers would be compatible with the proposed use (parking structure) of the project site. Therefore, the proposed project would not expose users of the site to excessive noise generated by the nearby airport. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.9 TRANSPORTATION

The following discussion is based, in part, on a Local Transportation Analysis prepared for the project by Hexagon Transportation Consultants, Inc., dated April 2022. A copy of this report is included in Appendix F of this Addendum.

3.9.1 Environmental Setting

3.9.1.1 *Regulatory Framework*

State

Regional Transportation Planning

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets set by CARB) and Regional Transportation Plan (including a regional transportation investment strategy for revenues from federal, state, regional and local sources over the next 24 years).

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Regional and Local

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management, a land use impact

analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

Transportation Analysis Policy (City Council Policy 5-1)

As established in City Council Policy 5-1, Transportation Analysis Policy, the City of San José uses VMT as the metric to assess transportation impacts from new development. Screening criteria have been established to determine which projects require a detailed VMT analysis. If a project meets the relevant screening criteria, it is considered to have a less than significant VMT impact.

If a project’s VMT does not meet the established thresholds, mitigation measures would be required, where feasible. The policy also requires preparation of a Local Transportation Analysis to analyze non-CEQA transportation issues, including local transportation operations, intersection level of service, site access and circulation, and neighborhood transportation issues such as pedestrian and bicycle access and recommend transportation improvements. The VMT policy does not negate Area Development policies and Transportation Development policies approved prior to adoption of Policy 5-1; however, it does negate the City’s Protected Intersection policy as defined in Policy 5-3.

City of San José Bike Plan

The San José Better Bike Plan 2025, adopted in 2020, contains policies for guiding the development and maintenance of bicycle and trail facilities within San José. The plan also includes the following goals for improving bicycle access and connectivity: 1) build a 100-mile, low-stress, connected network; 2) achieve a 15 percent bike mode share by 2040 and a 20 percent bike mode share by 2050; 3) eliminate all roadway fatalities and major injuries; 4) expand the availability of sidewalk bike parking, secure bike parking, and end-of-trip facilities at transit stops; and 5) achieve Gold-Level Bicycle Friendly Community Status.

Envision San José 2040 General Plan

The following General Plan policies are applicable to the transportation impacts of the proposed project.

Envision San José 2040 General Plan Relevant Transportation Policies

Policies	Description
TR-1.1	Accommodate and encourage use of non-automobile transportation modes to achieve San José’s mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).
TR-1.2	Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
TR-1.4	Through the entitlement process for new development, fund needed transportation improvements for all transportation modes, giving first consideration to improvement of bicycling, walking and transit facilities. Encourage investments that reduce vehicle travel demand. <ul style="list-style-type: none"> • Development proposals shall be reviewed for their impacts on all transportation modes through the study of Vehicle Miles Traveled (VMT), Envision San José 2040 General Plan policies, and other measures enumerated in the City Council Transportation Analysis Policy and its Local Transportation Analysis. Projects

Policies	Description
	<p>shall fund or construct proportional fair share mitigations and improvements to address their impacts on the transportation systems.</p> <ul style="list-style-type: none"> • The City Council may consider adoption of a statement of overriding considerations, as part of an EIR, for projects unable to mitigate their VMT impacts to a less than significant level. At the discretion of the City Council, based on CEQA Guidelines Section 15021, projects that include overriding benefits, in accordance with Public Resources Code Section 21081 and are consistent with the General Plan and the Transportation Analysis Policy 5-1 may be considered for approval. The City Council will only consider a statement of overriding considerations for (i) market-rate housing located within General Plan Urban Villages; (ii) commercial or industrial projects; and (iii) 100% deed-restricted affordable housing as defined in General Plan Policy IP-5.12. Such projects shall fund or construct multimodal improvements, which may include improvements to transit, bicycle, or pedestrian facilities, consistent with the City Council Transportation Analysis Policy 5-1. • Area Development Policy. An “area development policy” may be adopted by the City Council to establish special transportation standards that identifies development impacts and mitigation measures for a specific geographic area. These policies may take other names or forms to accomplish the same purpose.
TR-1.6	Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
TR-2.8	Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.
TR-3.3	As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute towards transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
TR-5.3	Development projects’ effects on the transportation network will be evaluated during the entitlement process and will be required to fund or construct improvements in proportion to their impacts on the transportation system. Improvements will prioritize multimodal improvements that reduce VMT over automobile network improvements.
TR-8.4	Discourage, as part of the entitlement process, the provision of parking spaces significantly above the number of spaces required by code for a given use.

3.9.2 Existing Conditions

Roadways

Regional Access

Regional access to the BCP campus is provided by SR 87 and I-880. These facilities are described below.

I-880 is a north-south, six-lane freeway that extends from San José in the south to Oakland in the north. I-880 provides site access via full interchanges at Coleman Avenue and The Alameda.

SR 87 is primarily a six-lane freeway (four mixed-flow lanes and two high occupancy vehicle [HOV] lanes) that is aligned in a north-south orientation. SR 87 begins at its interchange with SR 85 and extends northward, terminating at its junction with US 101. Access to the project site to and from SR 87 is provided via a full interchange at Taylor Street.

Local Access

Local access to the BCP campus is provided via The Alameda, Coleman Avenue, Taylor Street, Hedding Street, Stockton Avenue, Elm Street, and Emory Street. These facilities are described below.

The Alameda is primarily a four-lane north-south grand boulevard per the 2040 General Plan that extends from Santa Clara University eastward through Downtown San Jose, ultimately becoming Santa Clara Street. The Alameda provides full access to I-880 via a cloverleaf interchange. The Alameda provides access to the project site via Hedding Street and Taylor Street.

Coleman Avenue is a four- to six-lane city connector street per the 2040 General Plan that extends from De La Cruz Boulevard in Santa Clara to North Market Street. North of Hedding Street, Coleman Avenue has three lanes in each direction. Coleman Avenue narrows from three lanes to two lanes in each direction between Hedding Street and Taylor Street, and then widens back to three lanes in the southbound direction south of Taylor Street. Coleman Avenue provides access to the BCP campus via Hedding Street and Taylor Street.

Taylor Street/Naglee Avenue is a four-lane city connector street per the 2040 General Plan that runs in a southwest-northeast direction. Taylor Street extends eastward from The Alameda to US 101. On the other side of The Alameda, Taylor Street becomes Naglee Avenue, which extends westward to Bascom Avenue where it meets Forest Avenue. Taylor Street provides access to the school via Stockton Avenue.

Hedding Street is generally an east-west on-street primary bicycle facility per the 2040 General Plan that extends from Winchester Boulevard in Santa Clara to US 101 in San Jose. Hedding Street has two driveways that provide direct access to and from the BCP Mathewson Hall parking lot. Hedding Street also provides indirect access to and from the BCP campus via Elm Street.

Stockton Avenue is a two-lane north-south local street that serves as the eastern boundary of the proposed new parking garage. Stockton Avenue extends north from Taylor Street to the College Park Caltrain station, where it connects to Emory Street. Stockton Avenue would provide direct access to the new proposed garage.

Elm Street is a two-lane local street extending from Villa Avenue in the south and terminating near I-880 in the north. Elm Street is closed to vehicular traffic through the BCP campus (north of University Avenue). It provides direct access to the Mathewson Hall parking lot and the main BCP parking lot south of Hedding Street as well as student parking lots north of and under Hedding Street.

Emory Street is a two-lane local street running in an east-west orientation through the College Park neighborhood. It begins at its intersection with Stockton Avenue and terminates near O'Connor Hospital. There is a gate that blocks vehicular traffic on Emory Street east of Laurel Street except in

the case of emergencies. Emory Street functions as a one-way westbound street between Stockton Avenue and the entrance to the Wrestling Building parking lot where the proposed parking garage would be located. This segment of Emory Street, which is a private street owned by BCP, has a student loading zone along the north side and angled parking on the south side of the street.

Pedestrian Facilities

A complete network of sidewalks and crosswalks is found along the roadways in the school area. Hedding Street is lacking a sidewalk on the north side of the street on the overcrossing above the railroad (between Chestnut Street and Elm Street). All other streets in the vicinity of the school campus have sidewalks on both sides of the street.

Crosswalks are found at all of the signalized study intersections (see Section 3.9.5.5 Non-CEQA Effects). The intersections of Coleman Avenue/Taylor Street and The Alameda/Taylor Street have crosswalks on all approaches. The intersection of Stockton Avenue/Taylor Street has crosswalks on all approaches but the east approach. The existing pedestrian facilities provide good connectivity between the school campus and the surrounding land uses and transit stops in the study area.

Bicycle Facilities

Class II or IIB bicycle facilities (bike lanes or buffered bike lanes) are provided along Hedding Street and Stockton Avenue in the study area. Bike lanes are also presented along most sections of Coleman Avenue except for the segment between Hedding Street and Taylor Street. The Guadalupe River Trail is located approximately one mile east of the school campus and also provides bicycle and pedestrian access. The Guadalupe River trail connects with the bike lanes on both sides of Hedding Street. The bicycle facilities are shown in Figure 3.9-1.

The school provides 112 short-term secured bicycle parking spaces in seven bike racks located adjacent to the Schott Athletic Center on Emory Street. The existing bicycle parking would be adequate to accommodate the maximum enrollment assuming a bike mode share of six percent for students (approximately 105 bike spaces³⁸) and three percent for faculty/staff (approximately six bike spaces³⁹).

Transit Services

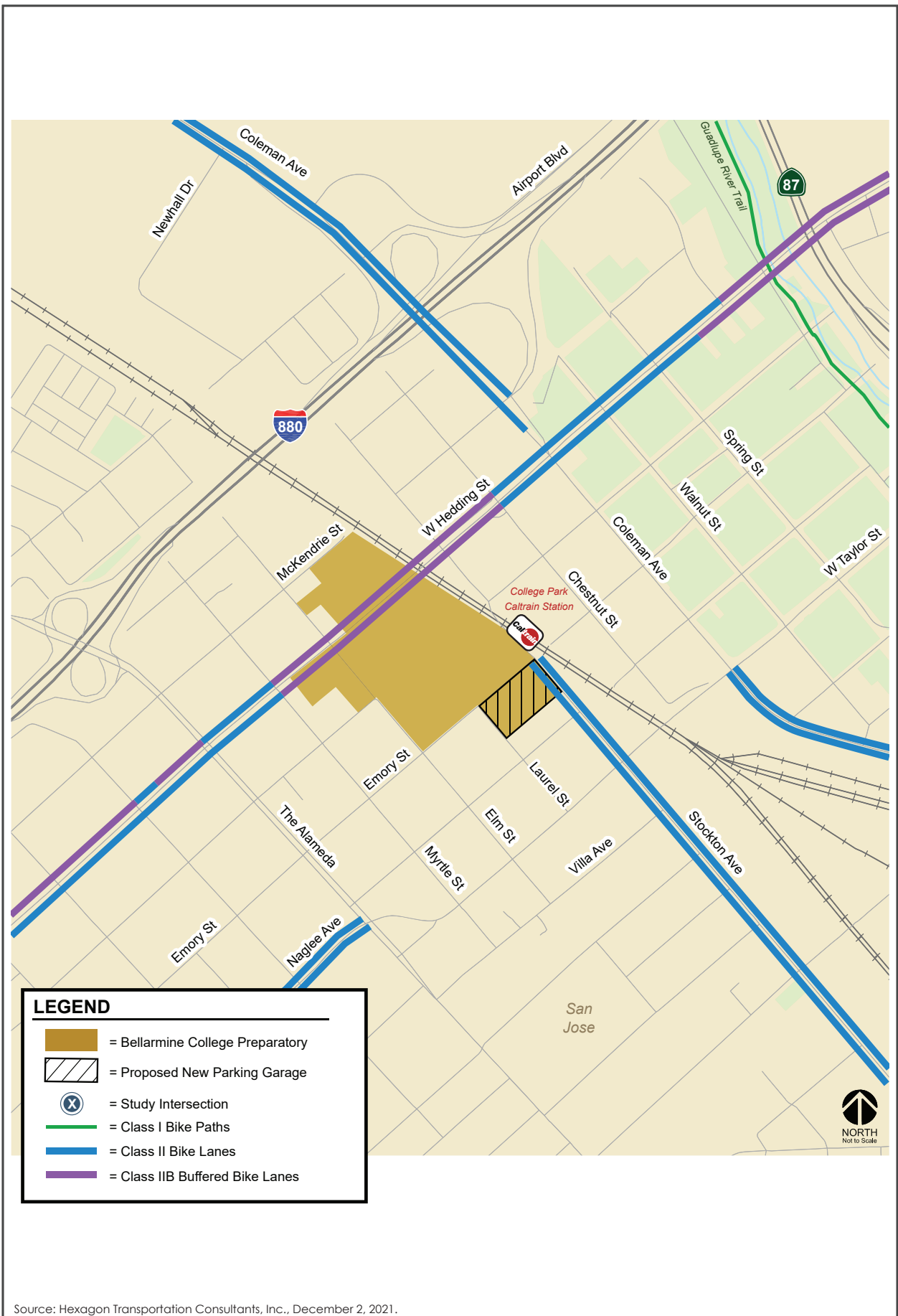
Existing transit services within the project vicinity are provided by VTA and Caltrain (see Figure 3.9-2).

VTA Bus Service

VTA provides bus transit services within the project vicinity. The nearest bus stops are located at the intersections of Taylor Street/Naglee Street and The Alameda (approximately 0.4 miles southwest of the project site), Stockton Avenue/Taylor Street (approximately 0.3 miles southeast of the project site), and Elm Street/Taylor Street (approximately 0.3 miles south of the project site). The bus stop at the intersection of Taylor Street/Naglee Street and The Alameda is served by Local Route 22 and Express Route 522. The other two bus stops in the project vicinity are served by Local Route 61.

³⁸ 1,750 maximum student capacity x 0.06 = 105 bike spaces needed.

³⁹ 210 maximum faculty x 0.03 = six bike spaces needed.



Source: Hexagon Transportation Consultants, Inc., December 2, 2021.



Source: Hexagon Transportation Consultants, Inc., December 2, 2021.

Local Route 22 provides service between the Palo Alto Transit Center and the Eastridge Transit Center in San José. In the vicinity of the project area, Route 22 operates along The Alameda 21 hours per day (from 5:00 AM to 2:00 AM) with 15-minute headways during the peak commute hours.

Local Route 61 runs from Good Samaritan Hospital to the Piedmont Hills area of east San José and operates from 6:00 AM to 10:00 PM with 30-minute headways during the weekday commute periods. Route 61 operates along Taylor Street in the vicinity of the school campus.

Express Route 522 provides service between the Palo Alto Transit Center and the Eastridge Transit Center in San Jose. Route 522 operates on The Alameda from 6:30 AM to 10:30 PM with 15-20 minute headways during the weekday.

Caltrain Service

Commuter rail service between San Francisco and Gilroy is provided by Caltrain. The College Park Caltrain Station is located across the street from the proposed parking garage at the corner of Emory Street and Stockton Avenue. Caltrain stops at the College Park Station four times a day, Monday-Friday. There is one northbound train (at 8:09 AM) and one southbound train (at 8:03 AM) serving the College Park station before school, and there is one train going each direction after school as well. BCP provides free shuttle service to Diridon Station twice each afternoon for students.

3.9.3 Checklist Questions

	New Less than Significant Impact with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"
Would the project:				
1) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) For a land use project, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(1)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Since completion of the approved project, the metric by which transportation impacts are assessed has changed. The Master Plan IS/MND used level of service (LOS) as a measure of traffic impacts. As discussed in Section 3.9.1.1, traffic impacts are now measured by vehicle miles traveled (VMT). As a result, there is no direct comparison under CEQA between the impacts of traffic trips generated by the project as assessed in the Master Plan IS/MND and the current project. VMT is addressed under Checklist Question 2. Section 3.9.5.5 provides an operational assessment, which include an

LOS discussion and is provided for information purposes only. Degradation of the LOS is no longer considered an impact under CEQA.

3.9.4 Transportation Impacts of the Approved Project

3.9.4.1 *Closure of Emory Street*

The Traffic Operations Analysis (TOA) completed for the Master Plan IS/MND evaluated the possible impact that the closure of Emory Street would have on the operation of the roadways/intersections in the project area. Overall, it was found that the closure of Emory Street as a component of the Master Plan would not result in a significant transportation impact.

3.9.4.2 *Increased Student Population*

As mentioned previously, the TOA completed for the Master Plan IS/MND did not take into account an increase in student population at the BCP campus. The primary focus of the analysis was on the Emory Street road closure, which had implications for the circulation patterns of surrounding roadways and residential streets. Therefore, an Addendum to the Master Plan IS/MND was prepared when an increase in the student population from 1,570 students to 1,750 students was proposed by the school. A traffic analysis assessing the potential transportation impacts that could occur from the proposed increase in enrollment of up to 180 students was prepared. The increase in student population was found to not result in any new transportation impacts not discussed in the Master Plan IS/MND and the Addendum and proposed enrollment increase was approved on June 12th, 2008.

3.9.5 Transportation Impacts of the Proposed Project

3.9.5.1 *Consistency with Transportation Plans and Policies (Checklist Question 1)*

Pedestrian, Bicycle, and Transit Facilities

The proposed site plan shows a continuous network of sidewalks in the vicinity of the proposed parking garage with good connectivity to the rest of the BCP campus. The project would construct a new approximately five-foot sidewalk along the south side of Emory Street adjacent to the proposed parking garage. The new sidewalk would connect to an existing sidewalk along the west side of Stockton Avenue. The project would also construct a bulb-out at the Emory Street and Stockton Avenue corner along with a high visibility crosswalk connecting to the College Park Caltrain Station. The bulb-out would reduce the pedestrian crossing distance to and from the project corner to the Caltrain Station and would improve pedestrian safety.

Pedestrians would be able to use the sidewalk adjacent to the Emory Street cul-de-sac that extends from the gymnasium to the wrestling building on the south side of the street rather than crossing the street within the student loading zone. Many pedestrians are expected to cross the one-way drive aisle at the northwest corner of the new parking garage since there would be a stairwell and an elevator at this corner of the garage. Therefore, as a Public Works condition of approval, the project shall construct a bulb-out at the Emory Street and Stockton Avenue corner as well as high visibility striping to draw attention to this pedestrian crossing.

The project would retain the existing sidewalk that extends south from Emory Street along the west side of the surface parking lot (adjacent to the wrestling building). The project would add a striped crosswalk to connect the sidewalk adjacent to the wrestling building across the one-way drive aisle to the proposed new parking garage about 60 feet south of Emory Street. An approximately 4.5-foot sidewalk would be provided along the west side of the new parking garage that would extend from the crosswalk to the southwest corner of the garage where a second stairwell would be located. Another new sidewalk (approximately five-feet wide) would be provided along the north side of the garage to connect the accessible parking spaces at the northwest corner of the ground floor to the sidewalk along Emory Street.

The proposed new parking garage would not interfere with the design or operation of the existing bicycle and transit facilities. Furthermore, because the school is not proposing to increase the enrollment above the maximum allowed under the current PD Zoning, the project is not expected to generate any new bicycle or transit trips. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.9.5.2 *Vehicle Miles Traveled (Checklist Questions 2)*

While the project would increase the number of available parking spaces on-site, the project would not increase the student or employee population on the BCP campus. Therefore, the project would not generate additional vehicle trips to the BCP campus, resulting in an increase of VMT. Additionally, the project is within a half-mile of both the College Park Caltrain station and a VTA bus stop. City Council Policy 5-1, Transportation Analysis Policy states that projects located within a half-mile of high-quality transit can be screened out from a VMT analysis. Therefore, a VMT analysis is not required for the project, and it can be assumed the project would have a less than significant VMT impact. **(New Less Than Significant Impact)]**

3.9.5.3 *Transportation Hazards (Checklist Question 3)*

Vehicular access to the proposed new parking garage would be provided via a one-way drive aisle that extends along the west and south sides of the new structure with inbound access from Emory Street and outbound access onto Stockton Avenue. The drive aisle width would vary between 20 and 25 feet. The drive aisle widths meet the City's design guidelines for a one-way aisle with uniform parking spaces.

The new parking garage would have one driveway that connects to the one-way drive aisle along the west side of the structure. The driveway would be 23 feet wide and would serve two-way traffic into and out of the garage. The garage driveway width is sufficient for the planned circulation pattern.

The project would remove the existing angled parking along the south side of Emory Street. Emory Street would be restriped to include two westbound through lanes to the left of the existing curbside loading zone. On-street parking along northbound Stockton Avenue on the approach to Emory Street would also be removed. Stockton Avenue would be restriped to include an additional northbound lane. The width of the street from the centerline striping to the existing curb is 28 feet, which is sufficient to include an additional lane.

Within the garage, the drive aisles would be 26 feet wide with 90-degree parking spaces measuring 8.5 feet wide by 18 feet long. The parking aisle width and stall dimensions meet the City's design

standards. Internal circulation within the garage would have two dead-end aisles. There is sufficient space provided at the end of the dead-end parking aisle on the ground floor to facilitate vehicles exiting from the spaces at the end of the aisle and vehicles that might need to turn around. The western edge of the garage would be open at the ground level except for a few narrow concrete columns. Thus, there would be sufficient sight distance at both garage driveways.

Overall, the proposed parking garage does not present any hazardous design features. The project would be in conformance with the City's design standards. The project does not propose any incompatible land uses on-site. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.9.5.4 *Emergency Access (Checklist Question 4)*

The width of the project driveway would be adequate to accommodate emergency vehicles. Adequate vertical clearance also would be provided throughout the site for emergency vehicles. Additionally, the project plans would be subject to review by the San José Fire Department. Therefore, the project would not result in inadequate emergency access. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.9.5.5 *Non-CEQA Effects*

While the evaluation of project CEQA impacts on the transportation system is focused on VMT, in accordance with the City of San José Transportation Policy (Council Policy 5-1), the following discussion is included for informational purposes because City Council Policy 5-1 requires preparation of a Local Transportation Analysis (LTA) to analyze non-CEQA transportation issues, including intersection LOS, vehicle queuing, and neighborhood traffic conditions. While the project would not generate an increase in student population, faculty, or staff on-campus, the project would change the distribution of parking spaces within the campus, altering the travel paths for some students and faculty causing more vehicle trips at some intersections and fewer trips at other locations. Therefore, an LTA was completed to assess the effects of the proposed project on the key intersections in the immediate vicinity of the school and to identify potential operational issues that may arise due to the project, as described below.

Trip Generation

The proposed parking garage is not expected to generate any new vehicle trips but would alter the routes some students and faculty travel to and from school. Currently, there are a total of 600 parking spaces on campus. The proposed parking garage would add 249 spaces (377 spaces added within the new structure, 116 surface spaces eliminated on the site of the structure, 12 angled spaces on Emory Street removed to provide aerial fire access to the new structure). Thus, the proposed parking garage project would result in a total of 849 parking spaces on campus. The project is intended to eliminate the need for students to use on-street parking within the College Park neighborhood. Currently there are not enough parking spaces available to provide a parking permit to every student who chooses to drive to school. Under maximum enrollment, it is estimated that approximately 68 student vehicles would be shifted from parking on neighborhood streets to parking in the new BCP garage. While the project would redistribute parking from off-campus to the proposed garage, the project would not generate any new vehicle trips because the project does not propose any increase in student enrollment.

Intersection Levels of Service

The LTA prepared for the project included an operations analysis of the three following signalized intersections:

- Colman Avenue and West Taylor Street
- Stockton Avenue and West Taylor Street
- The Alameda and Naglee Avenue/West Taylor Street

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak commute hours. The weekday AM peak commute hour is generally between 7:00 and 9:00 AM and the weekday PM peak commute hour is typically between 4:00 and 6:00 PM. Traffic conditions were evaluated for existing conditions, background conditions, and background plus project conditions. Existing weekday AM and PM peak-hour traffic volumes were obtained from the City of San Jose and new manual turning-movement counts conducted in September 2021. Background traffic volumes were estimated by adding to existing peak-hour volumes the projected volumes from approved but not yet completed developments and trips associated with increasing the BCP enrollment from the current level (1,650 students) to the maximum capacity enrollment (1,750 students).

Traffic conditions at the study intersections were evaluated using LOS. LOS is a qualitative description of operating conditions ranging from LOS A (free-flow conditions with little or no delay) to LOS F (or jammed conditions with excessive delays). According to the City of San José's Transportation Analysis Handbook, 2018, an adverse effect on intersection operations would occur if for either peak hour:

- The level of service at the intersection degrades from an acceptable level (LOS D or better) under background conditions to an unacceptable level under background plus project conditions, or
- The level of service at the intersection is an unacceptable level (LOS E or F) under background conditions and the addition of project trips cause both the critical-movement delay at the intersection to increase by four (4) or more seconds and the volume-to-capacity ratio (V/C) to increase by one percent (.01) or more.

The results of the intersection operations analysis are shown in Table 3.9-2. The results of the analysis show that all three study intersections are currently operating at an acceptable level of service (LOS D or better) during both the AM and PM peak hours of traffic and would continue to do so under background and background plus project conditions. Therefore, the proposed parking garage would not cause any of the study intersections to operate at an unacceptable level.

Intersection	Peak Hour	Existing		Background		Background +Project		
		Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Incr. in Crit. Delay
Colman Ave/W. Taylor St	AM	42.0	D	45.4	D	45.2	D	-1.2
	PM	44.9	D	50.4	D	50.6	D	0.1
Stockton Ave/W. Taylor St	AM	21.6	C	22.7	C	23.1	C	3.2
	PM	20.2	C	20.3	C	20.8	C	1.0
The Alameda/Naglee Ave/W. Taylor St	AM	40.7	D	41.4	D	44.3	D	4.1
	PM	43.8	D	46.4	D	46.6	D	0.1

Queuing Analysis

The analysis of intersection operations was supplemented with a vehicle queuing analysis for left-turn movements where the project would add 10 trips or more per lane in either peak hour. Based on this threshold and the project trip assignment, the southbound left-turn movement at the Alameda/Taylor intersection and the eastbound left-turn movement at the Stockton/Taylor intersection were examined as part of the intersection queuing analysis for this project. The queuing analysis shows that the 95th percentile vehicle queues (maximum queues) would exceed the available turn lane storage for both left-turn movements under project conditions

The Alameda and West Taylor Street/Naglee Avenue – Southbound Left Turn

The southbound left-turn lane at The Alameda and West Taylor Street/Naglee Avenue intersection is approximately 325 feet in length. Under existing conditions, the turn lane is adequate to accommodate the 95th percentile queue during the AM peak hour. However, during the PM peak hour, the 95th percentile queue extends beyond the available storage. Under background conditions including trips associated with approved developments, the 95th percentile queue would extend to approximately 650 feet (325 feet beyond the end of the existing turn lane). The proposed project is not expected to add any trips to this movement during the PM peak hour. However, the project would add a substantial number of trips to this movement during the AM peak hour and cause the 95th percentile queue to reach a length of 375 feet.

Stockton Avenue and West Taylor Street – Eastbound Left Turn

Under existing and background conditions, the 95th percentile queue could be accommodated by the current turn lane storage (100 feet). The project would add a substantial number of trips to this movement during the AM peak hour and cause the 95th percentile queue to reach a length of 225 feet. Extending the left-turn pocket would not be a favorable improvement to address this deficiency as it would impact the existing driveway for the Salvation Army building and the on-street parking along Taylor Street which is heavily used by the existing high-density residential units in the area. Therefore, as a Public Works condition of approval, the project will be required to make a monetary

contribution towards video detection technology and multimodal improvements at both the Stockton Avenue and West Taylor Street intersection and The Alameda and West Taylor Street/Naglee Avenue intersection.

Drop-off and Pick-Up

Traffic bound for the proposed parking garage may be delayed while traveling past the student loading area on Emory Street. Currently, Emory Street is approximately 37 feet wide with a student loading zone along the northern curb, one westbound through lane, and angled parking along the southern curb. The project would remove the existing angled parking along the south side of the street. Emory Street will be restriped to include two westbound through lanes to the left of the existing curbside loading zone. The rightmost lane would serve vehicles pulling into and out of the loading zone while the leftmost lane would serve through traffic headed for the parking garage. The two lanes will continue along the drive aisle adjacent to the west side of the garage with the left lane serving as a trap lane for left-turn traffic into the parking garage and the right lane used for through traffic passing by the garage after dropping off or picking up students on Emory Street.

On-street parking along northbound Stockton Avenue on the approach to Emory Street (from the Central Concrete driveway) will be removed and the street be restriped to include an additional northbound lane. The width of the street from the centerline striping to the existing curb is 28 feet, which is sufficient to include an additional lane. This would separate the traffic flow into the new parking garage from the traffic flow through the drop-off/pick-up zone on Emory Street.

Traffic exiting the driveway of the proposed new parking garage would conflict with vehicles entering the garage and vehicles traveling past the garage driveway after dropping off or picking up a student on Emory Street. Since there would be few or no vehicles exiting the garage during the morning peak hour before school, this would not cause an operational issue. Likewise, few vehicles are expected to enter the garage during the afternoon peak hour after school when most garage users would be exiting. However, in the afternoon, traffic exiting the garage would have to yield to through traffic passing the garage after picking up a student on Emory Street. Therefore, as a Public Works condition of approval, BCP staff will be required to direct traffic at the garage exit for the 20-minute period immediately after classes are dismissed. Priority shall be given to southbound through traffic to ensure that traffic exiting the parking garage does not impede the operation of the student loading zone.

Neighborhood Traffic Conditions

Existing traffic conditions were evaluated to assess whether the proposed new parking garage would shift more school trips onto the following local residential streets:

- Ashbury Street between The Alameda and Myrtle Street
- Myrtle Street between Ashbury Street and W. Taylor Street
- Elm Street between Ashbury Street and W. Taylor Street
- Laurel Street between Ashbury Street and W. Taylor Street

The existing daily traffic volumes on the above street segments ranged from a low of 377 vehicles on Laurel Street to a high of 713 vehicles on Myrtle Street (see Table 3.9-3). The average vehicle speed varied from 18 to 21 mph while the 85th percentile speed was between 23 and 26 mph. Thus, the vast majority of vehicles comply with the posted speed limit of 25 mph. While observations indicate that some BCP parents drop off students on neighborhood streets including Elm Street and University Avenue, the cut-through traffic generated by the school is rather low and generally occurs during the peak periods immediately before and after school. It is also noted that some vehicles not associated with the school use neighborhood streets as a shortcut to avoid delays encountered at the signalized intersection of The Alameda and W. Taylor Street.

The proposed parking garage would have inbound vehicular access from Emory Street and outbound vehicular access onto Stockton Avenue. A gate blocks through traffic on Emory Street east of Laurel Street and is only open in case of emergencies. Thus, vehicles parking in the new garage are expected to approach and depart the area via Stockton Avenue without causing any increase in traffic on other neighborhood streets. Stockton Avenue is used as the primary route to and from the student drop-off and pick-up area on Emory Street immediately north of the proposed new parking garage. The increase in traffic on Stockton Avenue generated by the proposed parking garage could exacerbate the existing congestion causing some parents to avoid the student loading area on Emory Street and instead drop off and pick up students on other neighborhood streets such as Elm Street or University Avenue.

Table 3.9-2: Existing Traffic Conditions on Local Neighborhood Streets

Street	Segment	Existing		
		ADT* Volume	Speed (mph)	
			Avg.	85%
Ashbury Street	Between The Alameda and Myrtle St.	434	21	26
Myrtle Street	Between Ashbury St. and W. Taylor St.	713	18	23
Elm Street	Between Ashbury St. and W. Taylor St.	638	19	24
Laurel Street	Between Ashbury St. and W. Taylor St.	377	19	25

Source: Traffic counts conducted on Thursday, October 21, 2021 by Hexagon.

*ADT = Average Daily Traffic (vehicles)

Construction of the proposed parking garage is not expected to increase traffic volumes on the above neighborhood streets due to the existing gate on Emory Street that will cause all vehicles parking in the new garage to approach and depart the area via Stockton Avenue.

The City of San José’s Traffic Calming Policy for Residential Neighborhoods states that developments should eliminate or minimize adverse impacts on neighborhood streets. As such, the City may place conditions of approval on proposed new developments to reduce or eliminate neighborhood intrusion. The City’s Traffic Calming Toolkit lists basic and comprehensive measures to reduce traffic speeds and volumes and to enhance safety for drivers, pedestrians, and bicyclists.

Given that the speeds measured on College Park neighborhood streets show that most vehicles comply with the posted speed limit, measures designed to slow traffic are not recommended. As a Condition of Approval, the City of San José will require the project to install a raised channelization island as a physical barrier to prevent left turns from Asbury Street to Stockton Avenue. This comprehensive traffic calming measure will prevent BCP traffic from using neighborhood streets as a shortcut route to access the proposed parking garage.

3.10 TRIBAL CULTURAL RESOURCES

3.10.1 Environmental Setting

3.10.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
 - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
 - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

Envision San José 2040 General Plan

The following General Plan policies are applicable to the tribal cultural resource impacts of the proposed project.

Envision San José 2040 General Plan Relevant Tribal Cultural Resource Policies

Policies	Description
ER-10.2	Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable state laws shall be enforced.
ER-10.3	Ensure that City, State, and Federal historic preservation laws, regulations, and codes are enforced, including laws related to archaeological and paleontological resources, to ensure the adequate protection of historic and pre-historic resources.

3.10.2 Existing Conditions

As part of the IS/MND completed for the Bellarmine College Preparatory Master Plan in 2008, an archival search was completed at the Northwest Information Center to determine if any known

prehistoric sites have been identified in the project area. The search revealed that there are no known prehistoric archaeological sites recorded on the BCS campus site or immediately adjacent to the project site. This would include the proposed garage site. Therefore, there are no known tribal cultural resources in or adjacent to the project site.

3.10.3 Checklist Questions

	New Less than Significant Impact with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.10.4 Tribal Cultural Resource Impacts of the Approved Project

At the time of preparation of the Master Plan IS/MND, the CEQA checklist did not include a tribal cultural resources section and, therefore, the tribal cultural resource impacts of the Master Plan were not analyzed at that time. The tribal cultural resources section has since been added to the CEQA checklist. The discussion below provides an analysis for the proposed parking garage. Components of the Master Plan that have been implemented are now considered part of the existing environment. The purpose of CEQA is to inform decision-makers and the general public about the potential environmental impacts of a project before discretionary action is taken. Therefore, only the current project, the proposed parking garage is analyzed in this Addendum and the tribal cultural resource impacts of the overall Master Plan are not discussed.

While the Master Plan IS/MND did not include a tribal cultural resources section, it did include a cultural resources section. The IS/MND concluded that the project would have a less than significant impact on archaeological resources with mitigation. Prescribed mitigation measures included

archeological monitoring of construction related earthmoving activities at intervals and at locations to be decided by the project archaeologist. In the event that any deposits are encountered, additional evaluation of the resource may require a limited program of hand excavation. The project archaeologist would also be required to submit a plan for mitigation to the City's Department of Planning, Building, and Code Enforcement if evaluative testing demonstrates that further earthmoving would affect a resource eligible for inclusion on the California Register of Historic Resources.

3.10.5 Tribal Cultural Resource Impacts of the Proposed Project

3.10.5.1 *Impacts to State- and Tribe- Recognized Resources (Checklist Questions 1 and 2)*

As previously described, there are no known tribal cultural resources within or adjacent to the project site. However, it is possible, though unlikely, that project construction activities could disturb as-yet undiscovered resources. Any disturbance of these resources would constitute a significant impact. However, implementation of the mitigation measures described in the Master Plan IS/MND would reduce these impacts to a less than significant level. Additionally, the project would be subject to enact the City's standard permit conditions if any buried resources are discovered on-site, in accordance with General Plan policies ER-10.2 and ER-10.3.

Standard Permit Condition:

1. If prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of PBCE or the Director's designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist shall examine the find. The archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to Supervising Environmental Planner and Historic Preservation Officer of the Department of PBCE and the Northwest Information Center (if applicable). Project personnel should not collect or move any cultural materials.
2. If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Director of PBCE or the Director's designee and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner shall make a determination as to whether the remains are Native American. If the remains are believed to be Native American, the Coroner shall contact the NAHC within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD shall inspect the remains and make a recommendation on the treatment of the remains and associated artifacts. If one of the following conditions occurs, the landowner or his authorized representative shall work with

the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site.
- The MLD identified fails to make a recommendation; or
- The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

With implementation of the City's standard permit conditions and the mitigation measures of the Master Plan IS/MND, the project would have a less than significant impact to tribal cultural resources. (New Less than Significant Impact)

SECTION 4.0 CONCLUSION

Based on the above analysis and discussion, no substantive revisions are needed to the Master Plan IS/MND (File No. PDC07-072) because no new significant impacts or impacts of substantially greater severity would result from the proposed project. There have been no changes in circumstance in the project area that would result in new significant or substantially more severe environmental impacts, and no new information is available that would indicate the potential for new significant impacts or substantially more severe impacts than were discussed in the 2008 IS/MND. For these reasons, no further evaluation is required, and an Addendum is appropriate, pursuant to CEQA Guidelines Sections 15162 and 15164.

Pursuant to CEQA Guidelines Section 15164(c), this Addendum need not be circulated for public review, but will be included in the public record file for the Master Plan IS/MND.

SECTION 5.0 REFERENCES

Association of Environmental Professionals, 2016. *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California*. April 2016.

BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

California Air Resources Board. “Overview: Diesel Exhaust and Health.” Accessed August 31, 2021. <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>.

California Air Resources Board. “The Advanced Clean Cars Program.” Accessed September 10, 2021. <https://www.arb.ca.gov/msprog/acc/acc.htm>.

California Building Standards Commission. “California Building Standards Code.” Accessed September 10, 2021. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

California Department of Tax and Fee Administration. “Net Taxable Gasoline Gallons.” Accessed September 10, 2021. <https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

California Department of Transportation. “Scenic Highways”. <http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>

California Department of Water Resources, Division of Safety of Dams. Accessed September 13, 2021. [https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20\(DSOD\)](https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20(DSOD)).

California Energy Commission (CEC). “2019 Building Energy Efficiency Standards.” Accessed September 10, 2021. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>.

California Energy Commission. “Natural Gas Consumption by County.” Accessed September 10, 2021. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

California Energy Commission. “Renewables Portfolio Standard – Verification and Compliance.” Accessed June 18, 2020. <https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard/renewables-portfolio-standard>

California Energy Commission. Energy Consumption Data Management System. “Electricity Consumption by County.” Accessed September 10, 2021. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

- CalFire. “Fire Hazard Severity Zones Maps”. Accessed September 29, 2021.
<https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>
- California Gas and Electric Utilities. 2020 *California Gas Report*. Accessed September 10, 2021.
https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf.
- California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” Accessed August 10, 2021.
<http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.
- City of San José. *Bellarmino College Preparatory School Master Plan Initial Study/Mitigated Negative Declaration*. March 2008.
- City of San José. “Historic Resources Inventory.” Accessed June 24, 2021.
<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/historic-preservation/historic-resources-inventory>
- City of San José. “Watershed Maps”. Accessed September 13, 2021.
<https://www.sanjoseca.gov/your-government/environment/our-creeks-rivers-bay/watershed-maps>
- City of San José. Greenhouse Gas Reduction Strategy. November 2020.
<https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/greenhouse-gas-reduction-strategy>.
- Cornerstone Earth Group, Inc. *Geotechnical Investigation for Bellarmino College Preparatory Emory Street Parking Garage*. July 21, 2021.
- Cornerstone Earth Group, Inc. *Preliminary Soil Quality Investigation – Emory Street Parking Garage Development*. July 23, 2021.
- County of Santa Clara. *Norman Y. Mineta San José International Airport Comprehensive Land Use Plan*. Adopted May 25, 2011. Amended November 16, 2016.
- Federal Emergency Management Agency. “FEMA Flood Map Service Center”. Accessed September 13, 2021.
<https://msc.fema.gov/portal/search?AddressQuery=14001%20Parkmoor%20Avenue%2C%20San%20Jose%2C%20California#searchresultsanchor>
- Hexagon Transportation Consultants, Inc. *Bellarmino College Preparatory School Parking Garage Local Transportation Analysis*. December 2, 2021.
- Illingworth & Rodkin, Inc. *Bellarmino Parking Structure Construction Community Risk Assessment*. August 31, 2021.

Illingworth & Rodkin, Inc. *Bellarmino Parking Structure Construction Noise & Vibration Assessment*. August 31, 2021.

Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007*. Accessed September 10, 2021. <http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf>.

United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed September 10, 2021. <http://www.afdc.energy.gov/laws/eisa>.

United States Department of the Interior. “Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take.” Accessed September 10, 2021. <https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf>.

United States Energy Information Administration. “State Profile and Energy Estimates, 2019.” Accessed September 10, 2021. <https://www.eia.gov/state/?sid=CA#tabs-2>.

United States Environmental Protection Agency. “The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975.” January 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1010U68.pdf>

Valley Water. “Guadalupe Watershed Fast Facts”. Accessed September 13, 2021. [Guadalupe Watershed Fast Facts | Santa Clara Valley Water](#)

Valley Water. *2016 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2016.

Valley Water. *2016 Groundwater Management Plan*. November 2016.

SECTION 6.0 LEAD AGENCY AND CONSULTANTS

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