# INITIAL STUDY/
# MITIGATED NEGATIVE DECLARATION

## for the

# THREE CREEKS TRAIL MASTER PLAN
# WESTERN ALIGNMENT

**City File PP14-012**

**CITY OF SAN JOSÉ**
**CALIFORNIA**

**February 2014**

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

*Department of Planning, Building, and Code Enforcement*
DAVID SYKES, INTERIM DIRECTOR

**PUBLIC NOTICE**
**INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**
**CITY OF SAN JOSÉ, CALIFORNIA**

**File No. and Project Name/Description:**
**File No. PP14-012, Three Creeks Trail Master Plan – Western Alignment.** A Master Plan for a new Class I trail within the former UPRR right-of-way. The proposed trail alignment extends approximately 6,660 feet primarily along a former Union Pacific Railroad (UPRR) line that was acquired by the City of San José in 2011. The trail runs between an existing portion of the Los Gatos Creek Trail at Lonus Street and the Falcon Place cul-de-sac, within the Willow Glen community of San José. (Council District 6)

The City has performed environmental review on the project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment if protective measures (mitigation measures) are included in the project.

The public is welcome to review and comment on the draft Mitigated Negative Declaration.

The public comment period for this draft Mitigated Negative Declaration begins on **February 21, 2014,** and ends on **March 13, 2014.**

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: http://www.sanjoseca.gov/planning/eir/MND.asp .

The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact John Davidson at (408) 535-7895, or by e-mail at john.davidson@sanjoseca.gov .

David Sykes, Interim Director
Planning, Building and Code Enforcement

Circulated on: 2/21/2014

John Davidson
Deputy

# MITIGATED NEGATIVE DECLARATION

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

**NAME OF PROJECT:** Three Creeks Trail Master Plan – Western Alignment

**PROJECT FILE NUMBER: PP14-012**

**PROJECT DESCRIPTION:** A Master Plan for a new Class I trail within the former UPRR right-of-way. The proposed trail alignment extends approximately 6,660 feet primarily along a former Union Pacific Railroad (UPRR) line that was acquired by the City of San José in 2011. The trail runs between an existing portion of the Los Gatos Creek Trail at Lonus Street and the Falcon Place cul-de-sac, within the Willow Glen community of San José.

**PROJECT LOCATION & ASSESSORS PARCEL NO.:** Primarily within the former Union Pacific Railroad (UPRR) right-of-way that extends approximately 6,660 feet between Lonus Street and Falcon Place cul-de-sac, located in the Willow Glen community of San José. A portion is located on a built trail between Minnesota Avenue and Falcon Place.

**COUNCIL DISTRICT: 6**

**APPLICANT CONTACT INFORMATION:** City of San José Department of Parks, Recreation & Neighborhood Services, 200 E. Santa Clara Street, San José, CA 95113 Contact: Yves Zsutty

**FINDING:**

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

**MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL**

**I. AESTHETICS.** The project will not have a significant impact on aesthetics or visual resources, therefore no mitigation is required.

**II. AGRICULTURE AND FOREST RESOURCES.** The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.

**III. AIR QUALITY.** The project will not have a significant impact on air quality, and therefore no mitigation is required.

**IV. BIOLOGICAL RESOURCES.** Mature trees on the project site may provide nesting habitat for raptors (birds of prey). Raptors and their nests are protected under the Migratory Bird Treaty Act of 1918 and DFW Code Sections 3503 and 3503.5. Despite the disturbed nature of the site, there remains the potential for raptors to nest in these trees. In addition, nesting habitat for tricolored blackbirds may exist within the riparian habitat associated with Los Gatos Creek, which is adjacent to the northeastern portion of the project site. Please refer to e) below for further discussion of tricolored blackbirds. Mitigation is identified below to reduce potential impacts to nesting birds to a less-than-significant level.

**Mitigation**

BIO1 If possible, construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, the project proponent shall retain a qualified ornithologist to conduct pre-construction surveys for nesting raptors to identify active raptor nests that may be disturbed during construction. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree disturbance. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the California Department of Fish & Wildlife, designate a construction-free buffer zone (typically 250 feet) around the nest. A report shall be submitted to the City's Environmental Principal Planner indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning prior to the initiation of any construction activities.

**V. CULTURAL RESOURCES.** The project will not have a significant impact on cultural resources, and therefore no mitigation is required.

**VI. GEOLOGY AND SOILS.** The project will not have a significant impact due to geology and soils, therefore no mitigation is required.

**VII. GREENHOUSE GAS EMISSIONS.** The project will not have a significant impact due to greenhouse gas emissions, therefore no mitigation is required.

**VIII. HAZARDS AND HAZARDOUS MATERIALS.** The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.

**IX. HYDROLOGY AND WATER QUALITY.** The project will not have a significant hydrology and water quality impact, therefore no mitigation is required.

**X. LAND USE AND PLANNING.** The project will not have a significant land use impact, therefore no mitigation is required.

**XI. MINERAL RESOURCES.** The project will not have a significant impact on mineral resources, therefore no mitigation is required.

**XII. NOISE.** The project will not have a significant noise impact, therefore no mitigation is required.

**XIII. POPULATION AND HOUSING.** The project will not have a significant population and housing impact, therefore no mitigation is required.

**XIV. PUBLIC SERVICES.** The project will not have a significant impact on public services, therefore no mitigation is required.

**XV. RECREATION.** The project will not have a significant impact on recreation, therefore no mitigation is required.

**XVI. TRANSPORTATION / TRAFFIC.** The project will not have a significant traffic impact, therefore no mitigation is required.

**XVII. UTILITIES AND SERVICE SYSTEMS.** The project will not have a significant impact on utilities and service systems, therefore no mitigation is required.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.** The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no mitigation is required.

**PUBLIC REVIEW PERIOD**

Before 5:00 p.m. on **March 13, 2014,** any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or

2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

David Sykes, Interim Director
Planning, Building and Code Enforcement

**Circulation period: from February 21, 2014 to March 13, 2014.**

Deputy

Revised 5-6-11 jam

# Table of Contents



**List of Figures**



**Appendices**

*This page left intentionally blank.*

# Chapter 1. Background Information

**PROJECT DATA**

1. **Project Title**: Three Creeks Trail Master Plan – Western Alignment (City File No. PP14-012)

2. **Lead Agency Name and Address:** City of San José Planning, Building and Code Enforcement, 200 E. Santa Clara Street, San José, CA 95113 Contact: John Davidson (408) 535-7895 email: john.davidson@sanjoseca.gov

3. **Project Proponent:** City of San José Department of Parks, Recreation & Neighborhood Services, 200 E. Santa Clara Street, San José, CA 95113 Contact: Yves Zsutty

4. **Project Location:** Primarily within the former Union Pacific Railroad (UPRR) right-of-way that extends approximately 6,660 feet between Lonus Street and Falcon Place cul-de-sac, located in the Willow Glen community of San José. A portion is located on a built trail between Minnesota Avenue and Falcon Place.

5. **Project Description:** A Master Plan for a new Class I trail within the former UPRR right-of-way.

6. **General Plan and Zoning Designations:** Various. The project is identified "Core Trail" on the City's Open Space, Parklands, and Trail's Diagram of the 2040 General Plan.

*This page left intentionally blank.*

# Chapter 2. Project Description

## PROJECT LOCATION

The proposed trail alignment extends approximately 6,660 feet primarily along a former Union Pacific Railroad (UPRR) line that was acquired by the City of San José in 2011. The trail runs between Lonus Street and Falcon Place cul-de-sac, within the Willow Glen community of San José (refer to Figures 1 and 2). The project is located within the former railroad right-of-way previously known as the Willow Glen Spur, and currently known by the working title "Three Creeks Trail." As planned, the trail will connect to the existing portion of Los Gatos Creek Trail and terminate at the Falcon Place cul-de-sac until future development of the adjacent Guadalupe River Trail. The right-of-way ranges in width from 100 feet at its widest point to 54 feet at its narrowest. An aerial of the project alignment is presented in Figure 3. The trail is located on Assessor's Parcels 264-11-100, 264-54-067, 264-56-108, 429-01-051, and 434-19-046.

## PROJECT OVERVIEW

The City of San José (Departments of Public Works and Parks, Recreation & Neighborhood Services) has prepared a Master Plan for the western alignment of the Three Creeks Trail. The purpose of the Master Plan is to identify a trail alignment that minimizes environmental impacts, provides trail design guidelines and features, and sets forth implementation measures for trail, playground, and park-like development. In the future, the western alignment of the trail will provide a continuous trail connection between the Los Gatos Creek Trail and Falcon Place, with connection to the Guadalupe River Trail at a later date when that system is feasible, after flood control and trail improvements are put in place. Independent of this Master Plan and not defined by this document, the City is actively seeking to acquire lands east of the project site to develop the eastern alignment of the trail system. That project is intended to link the Guadalupe River Trail to the Highway 87 Bikeway and Coyote Creek Trail.

Conceptual plans were prepared in 2003 for the Los Gatos Creek Trail, Reach 4, which extended from Coe Avenue to Auzerais Avenue. These plans included improvements to the railroad trestle bridge across Los Gatos Creek and the relocation of commercial activities for a top-of-bank trail connection. The environmental impacts of this trail project, including the railroad trestle, were evaluated in the Initial Study/Mitigated Negative Declaration adopted by the City in 2004.[1] A subsequent Engineering Study and environmental document (now underway) support removal of the trestle and development of a new, free-span pedestrian bridge at this location.

## PROJECT DESCRIPTION

The Three Creeks Trail Master Plan identifies a public multi-use trail that would extend in a meandering fashion between Lonus Street/Los Gatos Creek Trail and the future Guadalupe River Trail. Conceptual site plans for the proposed trail are presented in Figures 4 and 5. The majority of the proposed trail corridor is approximately 60 feet and the 12-foot wide paved trail would travel through that zone. The trail alignment commences at Lonus Street, is interconnected to Los Gatos Creek Trail, crosses Coe Avenue and Broadway Avenue, makes use of crosswalks in the signalized intersection of Willow Street/Bird Avenue, and crosses Minnesota Avenue. At each street interface, a 19-foot wide gateway plaza is proposed that consists of decorative concrete paving and various gateway elements set back from the trail. Future design of all road crossings will occur with oversight by the City of San José Department of Transportation.

[1] City of San José, Initial Study/Mitigated Negative Declaration for Los Gatos Creek Trail, Reach 4, Coe Avenue to Auzerais Avenue, May 2004.

Private fences currently extend along the property line for much of the trail. A setback of 10 feet from fences has been established, however, there are several locations near the road crossings where the trail comes within five feet of the property line to establish the best crosswalk alignments.

The majority of the trail will consist of a 19-foot trail section (composed of a 12-foot wide Class I paved trail, with a 2-foot and a 5-foot wide hard-packed gravel shoulder). The trail will be open to non-motorized uses.[2] The section of the trail running through a proposed gateway plaza at Delmas Avenue/Milton Avenue will maintain the 12-foot wide paved trail, but will not include the hard-packed gravel shoulders in order to maintain a uniform surface through the plaza. All areas outside the trail surface will be composed of pervious materials including mulch-covered soils, hard-packed gravel, decomposed granite, and resilient playground surfacing. In addition to the trail and gateway plazas, the Master Plan for the trail proposes several small play areas, a larger playground, several seating areas, and a number of planting beds. Installation of the proposed trail will require grading of approximately 5,000 cubic yards of soil. Typical trail sections are presented in Figure 6.

Access to the proposed trail would be available from Coe Avenue, Broadway Avenue, Willow Street at Bird Avenue, Delmas Avenue, Milton Way, and Minnesota Avenue. No new parking areas are proposed as part of this project, since the trail is located in an urban area adjacent to existing on-street parking and is not proposing a new primary entrance (trailhead). Residents may enter the trail property from their homes via new or existing gates, provided these gates are sized for pedestrian access only; no vehicular travel will be permitted to or from the trail from adjacent private properties.

Trail features and amenities proposed in the Master Plan consist of small garden areas, seating, exercise and play elements, interpretive stations, and gateways at each roadway crossing and at the Delmas Avenue Plaza. The gateways will include decorative structures in the form of fruit crates, a truss-style fence, and replica water towers. Each of these decorative features represents elements from the area's agricultural and railroad history.

The proposed plant palette for the trail is intended to maintain an orchard-like landscape of shade trees, flowering trees, shrubs, ground covers, and grasses, with a preference for California native plants. Additional adapted Mediterranean and drought-tolerant plants are also included in the palette to provide a variety of plants that provide habitat and seasonal interest throughout the year.

It is anticipated that the entire trail will be constructed in one phase. Staging areas for construction of the trail are not known at this time, but could be located at one or two locations along the trail; possibly on the north side of the Coe Avenue gateway and on the south side of Bird Avenue gateway.

**PROJECT SCHEDULE**

There is no schedule for implementation of the Master Plan at this time. The City is actively pursuing grant and local funding sources. The trail will be constructed in one phase at the time that funds become available.

[2] Note that the trail will be subject to limited use by motorized maintenance vehicles for occasional maintenance of the trail, landscaping, and other improvements.

## PROJECT OBJECTIVES

The purpose of the Master Plan is to identify a trail alignment and provide trail design guidelines and implementation requirements for development of a public trail along the former railroad right-of-way along Three Creeks trail from Lonus Street to Falcon Place near the future Guadalupe River Trail. The proposed trail will meet the following objectives:

- Multi-Use: Support commuting and recreational users with a Class I trail meeting California Department of Transportation standards; 12-foot wide asphalt trail with compacted base rock shoulders (2-foot and 5-foot in width), thermoplastic retro-reflective striping, etc.

- User Safety: Design all street crossings in coordination with City's Department of Transportation to enhance safety and develop landscape plans to maximize visibility. This may include warning and route guidance signage, and high reflective centerline and warning message striping.

- Placemaking: Design and construct high quality improvements ranging from gateway structures, furnishings, signage, and overall trail environment. All street entries will have a decorative gateway element (to include but not be limited to: fencing, vertical features, seating, special pavement, etc.) and seek to recall and/or incorporate railway elements.

- Educational: Provide interpretive displays and seating that characterize the importance of the railroad to local history within Willow Glen and San José.

- Amenities: Provide a drinking fountain at a central location to support long-distance trail travel and permit trail users to more easily enjoy their visit.

- Landscaping: Retain existing trees whenever possible. Use drought tolerant, low-maintenance species for landscaping that require less water. Use California-native plants to the greatest extent possible. Use plant material that has an historic value to the site whenever possible, such as flowering but non-fruiting trees that suggest the orchards that once defined the valley's agricultural landscape.

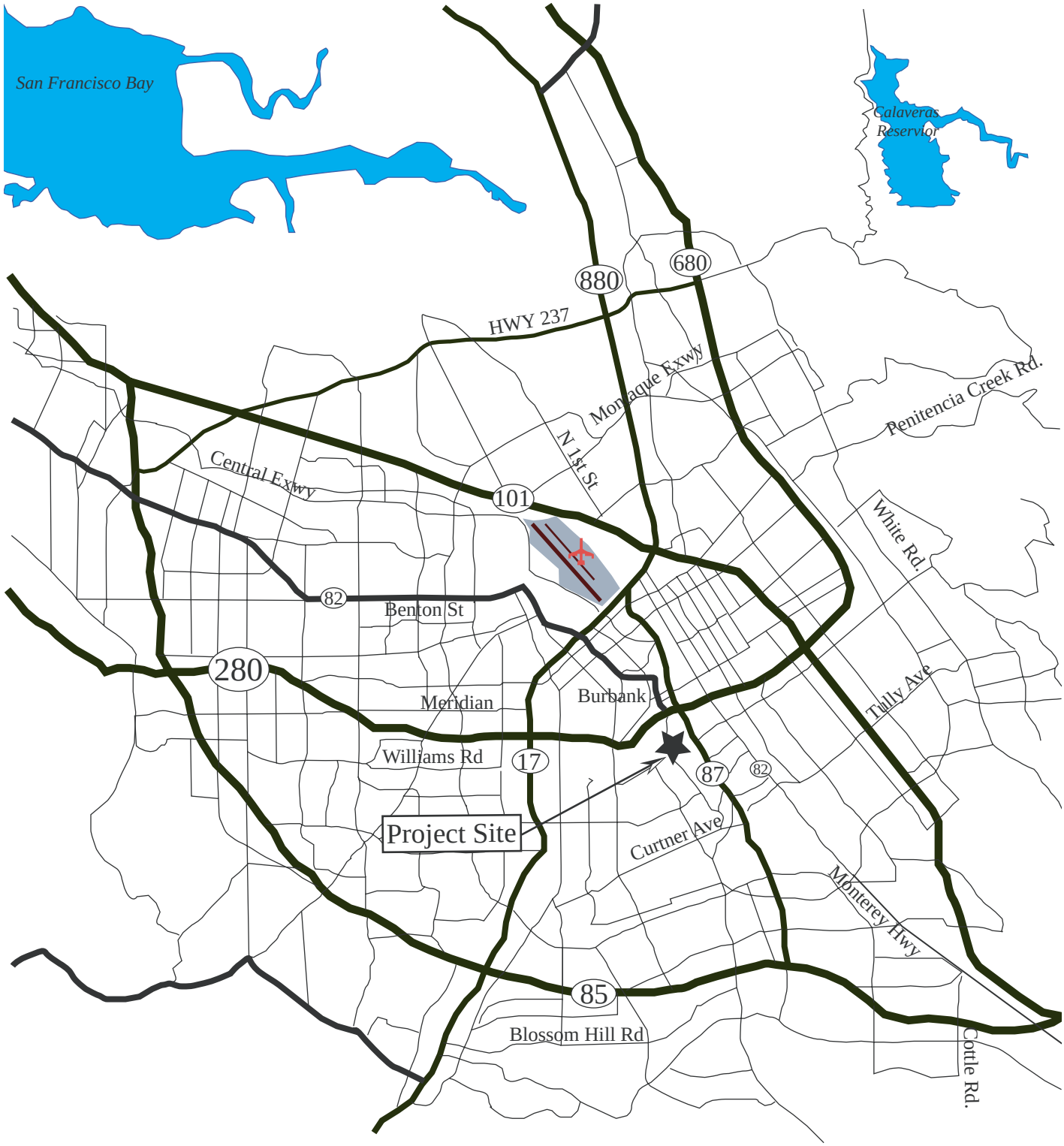
- Landscape Design: Provide planting that will permit high visibility of the site from intersecting roadways and within the corridor. "Islands" of plantings will be bisected by the meandering trail systems. The plan will seek a 50% rate of plantings through the property, with plants placed for maximum impact. Unplanted areas will be covered and mulch and require no irrigation system. Planting areas will be generally set back from fencing to allow flexibility for neighbors to add access gates in the future.

- Scalable Plan: The plan acknowledges the City seeks to acquire additional lands along the former railway corridor. The design of the trail, landscaping and amenities do not limit future extension of the trail system and offer a visual palette for future work.

## PROJECT APPROVALS

The project will require the following approvals or acceptances:

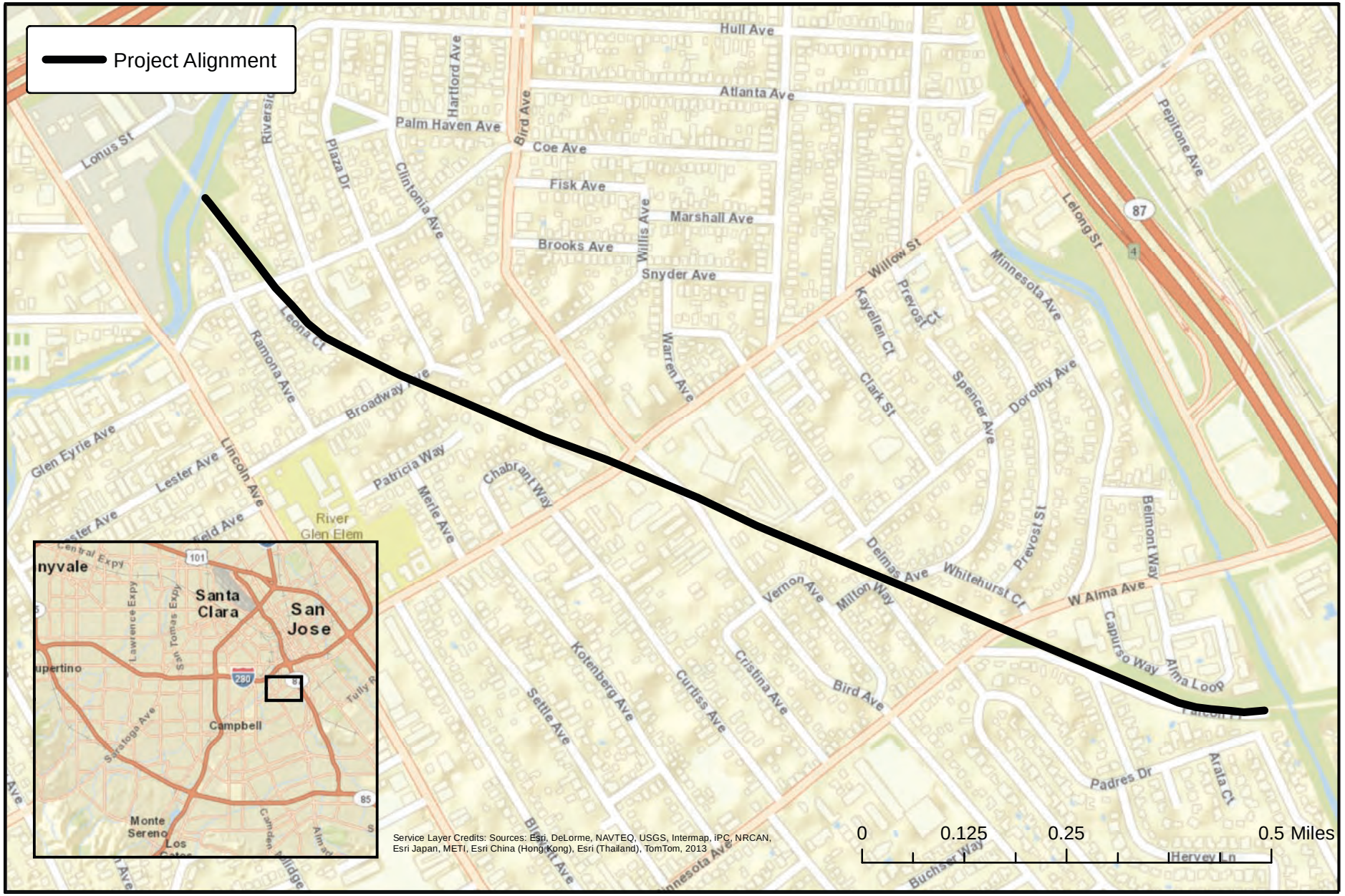
- City of San José – Environmental Clearance, Parks and Recreation Commission, City Council (to approve the Master Plan and adopt the CEQA document)




N

# Regional Map

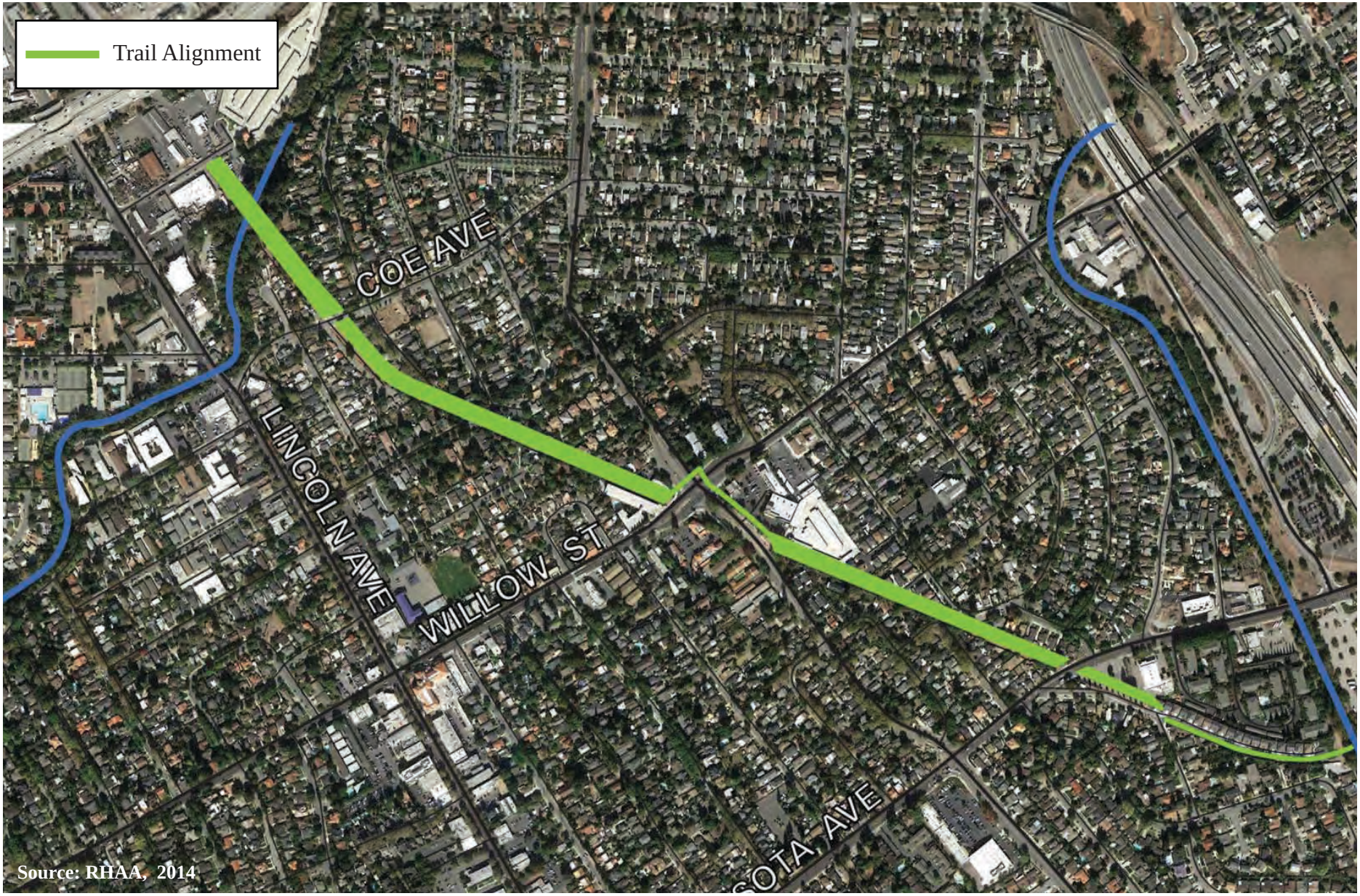
Figure 1



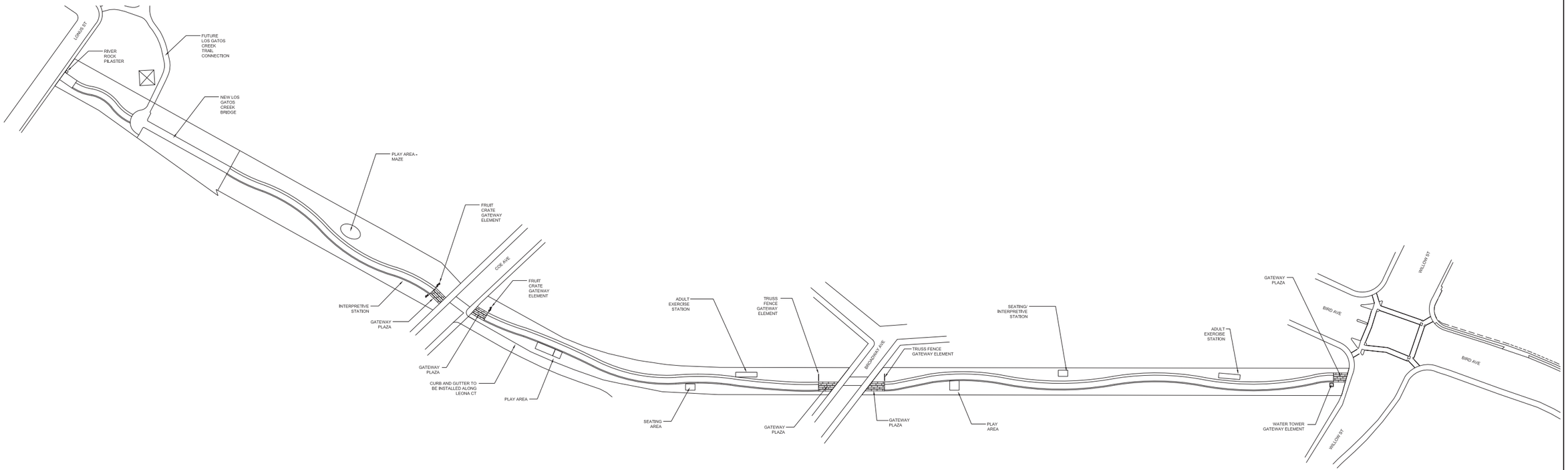

N

# Vicinity Map

Figure 2




| N | Aerial Map | Figure 3 |
|---|---|---|

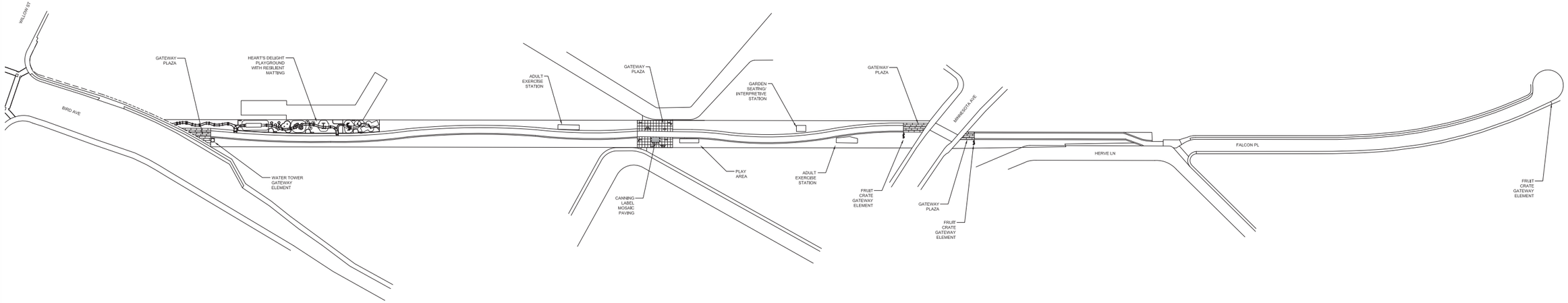



Source: RHAA, February 2014

N

# Site Plan (West)

Figure 4

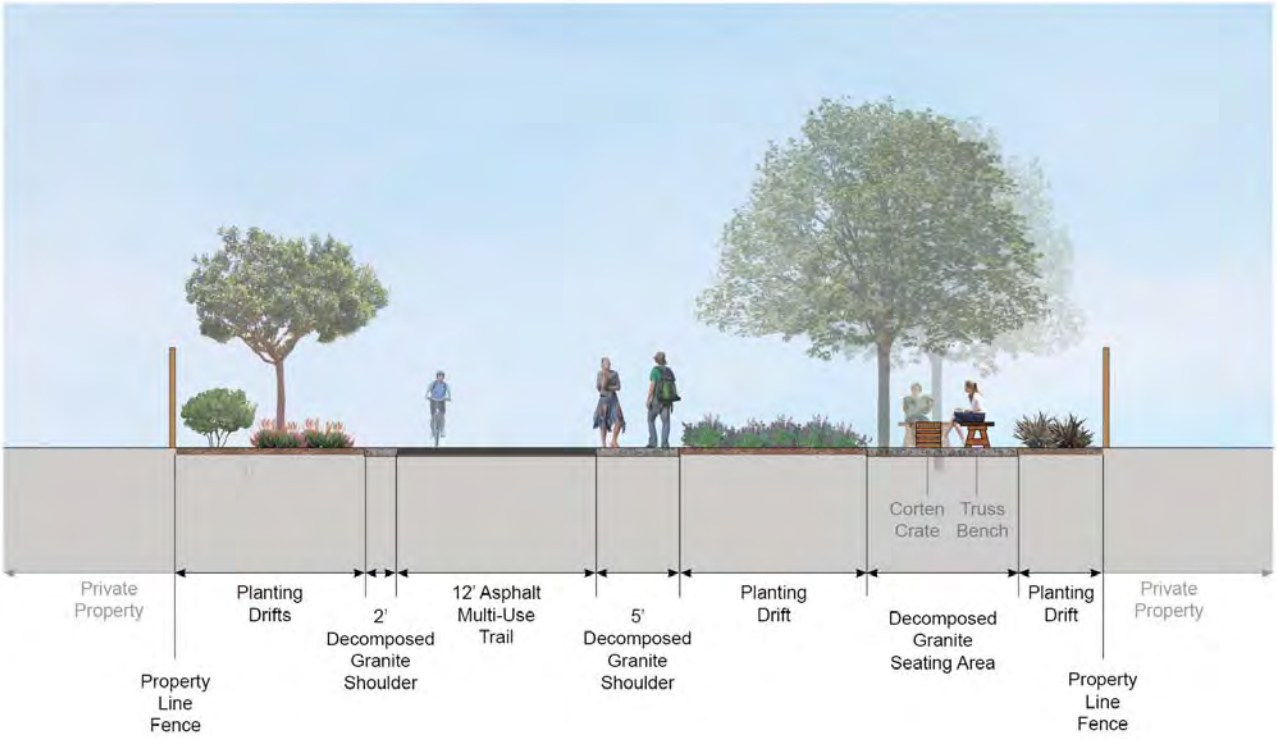


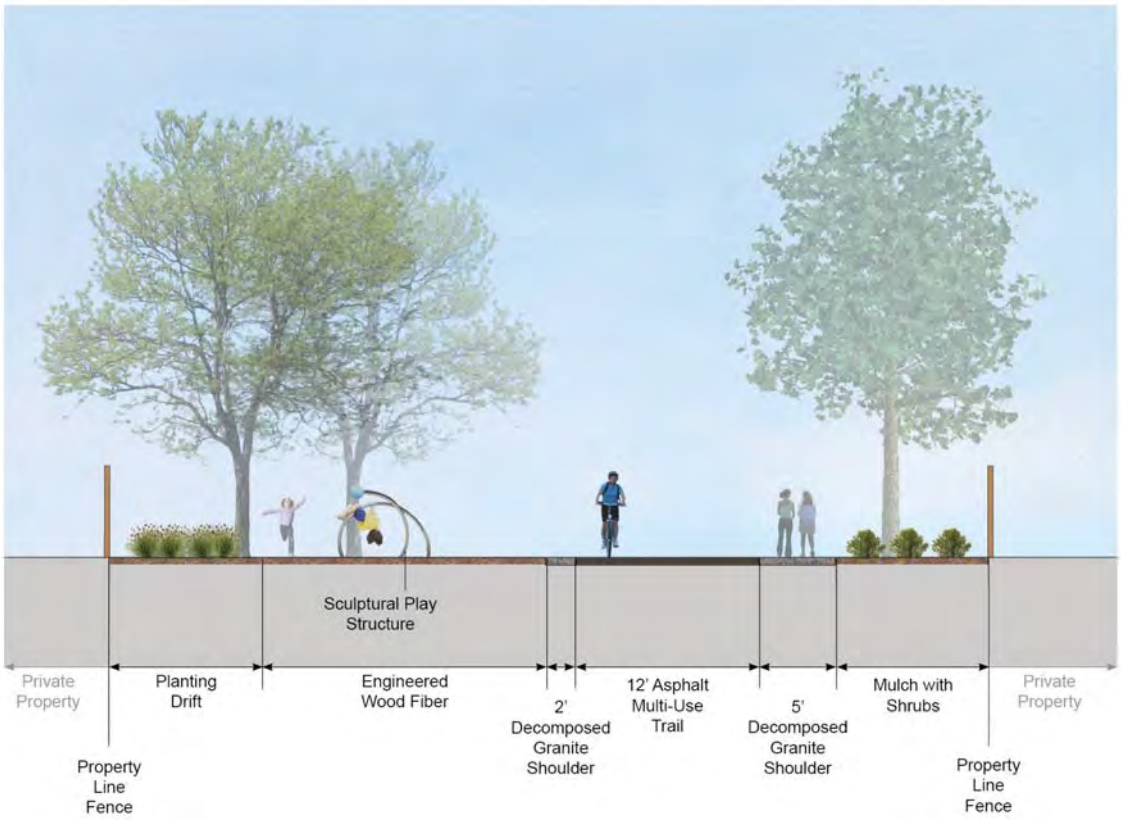

Source: RHAA, February 2014

N

# Site Plan (East)

Figure 5




# Typical Trail Sections

Figure 6

Photo 1. View of trail entrance from Minnesota Avenue facing northwest.

Photo 2. View of trail entrance from trail facing west towards Milton Way.

Photo3. View of trail entrance from trail facing east towards Delmas Avenue.

Photo 4. View of trail entrance from Bird Avenue facing southeast.

| | Site Photos | Figure 7A |
|---|---|---|

Photo 5. View of trail entrance from the intersection of Bird Ave and Willow Avenue facing northwest.

Photo 6. View of trail entrance from Broadway Avenue facing southeast.

Photo7. View of trail entrance Coe Avenue facing southeast.

Photo 8. View of typical trail conditions.

| | Site Photos | Figure 7B |
|---|---|---|

# Chapter 3. Environmental Evaluation

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors identified below are discussed within Chapter 3. Environmental Setting and Impacts. Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in Chapter 4. References.

| | | |
|---|---|---|
| ☒ Aesthetics | ☐ Agricultural Resources | ☒ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☐ Geology/Soils |
| ☐ Greenhouse Gas Emissions | ☒ Hazards/Hazardous Materials | ☒ Hydrology/Water Quality |
| ☒ Land Use/Planning | ☐ Mineral Resources | ☒ Noise |
| ☐ Population/Housing | ☒ Public Services | ☒ Recreation |
| ☒ Transportation/Traffic | ☒ Utilities/Service Systems | ☒ Mandatory Findings of Significance |

## DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature — February 18, 2014 (date)

Leianne Humble (Printed Name) — for Denise Duffy & Associates, Inc.

## EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.
b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and
b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## ENVIRONMENTAL SETTING AND IMPACTS

The following section describes the environmental setting and identifies the environmental impacts anticipated from implementation of the proposed project. The criteria provided in the CEQA environmental checklist was used to identify potentially significant environmental impacts associated with the project. Sources used for the environmental analysis are cited in the checklist and listed in Chapter 4 of this Initial Study.

## A. AESTHETICS

### Setting

The project site is located along a former Union Pacific railroad line within an urbanized area of San José. The majority of the trail alignment is located within a residential neighborhood of Willow Glen. The trail crossing at Willow Street/Bird Avenue consists of a commercial retail area.

The trail alignment currently consists of a compacted dirt trail surrounded by weedy vegetation. South of Minnesota Avenue, the alignment is located on an existing paved trail. Mature trees line portions of the trail; however, none are proposed for removal. Views of Los Gatos Creek are available at the northwestern end of the trail alignment north of Coe Avenue at the railroad trestle. Photos of the proposed trail location, showing existing aesthetic conditions, are presented in Figures 6 and 7.

### Impacts and Mitigation

***Thresholds per CEQA Checklist***

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 1. AESTHETICS. Would the project: | | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | | X | | 1, 2 |
| b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | | | X | | 1, 2 |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | | | X | | 1, 2 |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | | | | X | 1, 2 |
| e) Increase the amount of shade in public or private open space on adjacent sites? | | | | X | 1, 2 |

**Explanation**

a) **Less Than Significant Impact**. The project site is located in central San José and would not impact any scenic vistas.

b) **Less Than Significant Impact**. The project site is not located within any City or state-designated scenic routes. The project does not propose to remove existing trees along the trail alignment.

c) **Less Than Significant Impact**. The proposed trail will only be visible from the immediately surrounding area, which consists predominantly of residential neighborhoods. The visual changes of the project will be the conversion of the existing dirt trail into a paved trail with trail amenities and other improvements. The only noteworthy visual changes from the trail would be from the "gateways" where the trail crosses streets. The gateways will include decorative structures in the form of fruit crates, a truss-style fence, and replica water towers, which represent elements from the area's history. These features are generally low profile with the exception of the water tower structures, which will be located at the Bird Avenue and Willow Street gateways (see site plans in Figures 5 and 6). These will consist of two abstract water tower structures approximately 33 feet tall, as shown in Figure 8. These structures are intended as trail markers and way finding devices and will not substantially degrade the existing visual character or quality of the site and its surroundings.

   The proposed trail will not significantly degrade the existing visual character of the area.

d) **No Impact**. The proposed trail improvements do not include any lighting or sources of glare.

e) **No Impact**. The proposed trail will not substantially increase the amount of shade or result in any shade impacts on adjacent public or private open space areas.

## B. AGRICULTURAL AND FOREST RESOURCES

**Setting**

In California, agricultural land is given consideration under CEQA. According to Public Resources Code §21060.1, "agricultural land" is identified as prime farmland, farmland of statewide importance, or unique farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria, as modified for California. CEQA also requires consideration of impacts on lands that are under Williamson Act contracts. The project area is identified as "urban/built-up land" on the Santa Clara County Important Farmlands Map.

CEQA requires the evaluation of forest and timber resources where they are present. The project site is located in an urban area that has been historically used for residential uses. The site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).


Source: RHAA, November 2013

# Schematic of Water Tower Feature

Figure 8

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Source(s) |
|---|---|---|---|---|---|---|
| 2. | AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | | | | | |
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | | | X | 3 |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | X | 2 |
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | X | 2 |
| d) | Result in the loss of forest land or conversion of forest land to non-forest uses? | | | | X | 2 |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | | | | X | 2 |

### Explanation

a) **No Impact**. The project site is designated as urban land on the Important Farmlands Map for Santa Clara County and does not contain any prime farmland, unique farmland, or farmland of statewide importance. The project will not affect agricultural land.

b) **No Impact**. The project site is not zoned for agricultural use and does not contain lands under Williamson Act contract; therefore, no conflicts with agricultural uses will occur.

c) **No Impact**. No other changes to the environment will occur from the project that will result in conversion of farmland to non-agricultural uses.

d) **No Impact**. The project will not impact forest resources since the site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).

e) **No Impact**. As per the discussion above, the proposed project will not involve changes in the existing environment that could result in conversion of farmland or agricultural land, since none are present on or near the property.

## C. AIR QUALITY

### Setting

The project is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides ($NO_X$), particulate matter ($PM_{10}$), sulfur dioxide ($SO_2$), and lead (Pb). Secondary criteria pollutants include ozone ($O_3$), and fine particulate matter ($PM_{2.5}$).

The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are attained and maintained in the Bay Area. The BAAQMD, along with other regional agencies (e.g., ABAG and MTC) develop plans to reduce air pollutant emissions. The BAAQMD adopted and implements the Bay Area 2010 Clean Air Plan (CAP). The 2010 CAP is a multi-pollutant air quality plan that addresses four categories of air pollutants:

- Ground-level ozone and the key ozone precursor pollutants (reactive organic gases and NOx)
- Particulate matter, primarily $PM_{2.5}$, as well as the precursors to secondary $PM_{2.5}$
- Toxic air contaminants
- Greenhouse gases

The BAAQMD defines sensitive receptors as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. The project is located in a residential area; the nearest sensitive receptors are homes located directly adjacent to the majority of the trail alignment.

### Impacts and Mitigation

#### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | | X | 1, 2, 4 |
| b) Violate any air quality standard or contribute to an existing or projected air quality violation? | | | X | | 1, 2, 4 |
| c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | | | X | | 1, 2, 4 |

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | X | | 1, 2, 4 |
| e) Create objectionable odors affecting a substantial number of people? | | | X | | 1, 2 |

**Explanation**

a) **No Impact**. The proposed project consists of a public trail consistent with the City's General Plan and would not increase regional population growth or cause changes in vehicle travel that would affect implementation of the Bay Area 2010 Clean Air Plan.

b) **Less Than Significant Impact**. The BAAQMD's 2012 CEQA Guidelines provide recommendations for evaluating resources, including BAAQMD's CEQA Thresholds Options and Justification Report (2009), that are based on substantial evidence. The City of San José relies on the thresholds of significance and screening criteria established by the BAAQMD. The BAAQMD screening levels are based on project size for air pollutant emissions. Operation of the proposed trail will not generate air pollutant emissions, since it is not expected to generate motorized vehicle trips or create new stationary sources of air pollution.

Construction activities would generate dust and equipment exhaust on a temporary basis. The BAAQMD identifies best management practices for all projects to limit air quality impacts during construction. The short-term air quality effects during project construction would be avoided with implementation of the measures prescribed by the BAAQMD. The project contractor will implement the following standard conditions as required by the City:

Standard Conditions

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign shall be posted at the site with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

c) **Less Than Significant Impact**. See discussion b) above. The project is a trail and will not result in a cumulatively considerable increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

d) **Less Than Significant Impact**. Operation of the project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels, because no significant operational sources of pollutants are proposed. Construction activities would result in localized emissions of dust and diesel exhaust that could result in temporary impacts to adjacent uses. Sensitive receptors (existing residences) are located directly adjacent to the majority of the trail alignment. Implementation of abatement measures for construction period emissions identified in b) above would ensure that this impact is less-than-significant.

e) **Less Than Significant Impact**. The proposed trail will not create any new sources of odor. During construction, use of diesel powered vehicles and equipment could temporarily generate localized odors, which will cease upon project completion.

## D. BIOLOGICAL RESOURCES

### Setting

A biological assessment was conducted for the project by DD&A biologists. The assessment consisted of a field visit, identification of site habitats, evaluation of the potential for sensitive biotic resources, and assessment of project impacts. The field visit was conducted on July 24, 2013. The survey assessed the environmental conditions of the site and its surroundings, and evaluated the general habitat features and environmental constraints at the site and the local vicinity to provide a basis for recommendations to minimize and avoid impacts.

Special-status plant and wildlife species known to occur or with the potential to occur within the project vicinity are presented in Appendix A. The list identifies each species legal status, habitat requirements, and potential to be impacted by the project. This list was compiled based on the documented occurrences reported in the CNDDB RareFind Reports, personal communication with relevant resource and agency staff and local biologists, and available literature. Species documented as known or with the potential to occur within the project boundaries are discussed further below, based on comparing geographic ranges and habitat requirements of the species. All other species are assumed absent based on the species-specific rationale provided in Appendix A.

Sensitive habitats include riparian corridors, wetlands, habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the California Department of Fish & Wildlife (DFW) working list of high priority and rare natural communities, those

designated as critical habitat in accordance with the federal Endangered Species Act (ESA), and those designated as Environmentally Sensitive Habitat Areas (ESHA) under the California Coastal Act (CCA).

*Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan*

The project site is located within the boundaries of the Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan (HCP) and designated Urban Suburban. The HCP was developed through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife. The HCP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County.

*Existing Site Conditions*

The majority of the project site consists of a dirt trail surrounded by ruderal vegetation dominated by non-native invasive weed species. Dominant plant species observed within the project site include black mustard (*Brassica nigra*), Italian rye grass (*Festuca perennis*), slender oat (*Avena barbata*), yellow star thistle (*Centaurea solstitialis*), and telegraph weed (*Heterotheca grandiflora*). Other plant species observed within the project site include rabbitsfoot grass (*Polypogon monspeliensis*), California poppy (*Eschscholzia californica*), bull thistle (*Cirsium vulgare*), and Himalayan blackberry (*Rubus armeniacus*). Several tree species were also observed sporadically throughout the project site including redwood (*Sequoia sempervirens*), acacia (*Acacia* sp.), interior live oak (*Quercus wislizeni*), palm (*Phoenix* sp.), and white alder (*Alnus rhombifolia*).

The project site does not provide high quality habitat for any special-status wildlife species due to the proximity of development, lack of vegetative cover, and constant influence of human disturbance. However, some of the larger trees within the project site may provide suitable nesting habit for raptors and other avian species, including red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*B. jamaicensis*), and Cooper's hawk (*Accipiter cooperii*). Wildlife that would be expected to occur within the project site includes species that are adept to living in an urban environment, such as, California ground squirrel (*Otospermophilus beecheyi*), skunk (*Mephitidae* sp.) and raccoon (*Procyon lotor*). No special-status plant species were observed within the project area during the site visit. Due to the lack of suitable habitat no special-status plant species are expected to occur on the project site.

No special-status wildlife species were observed within the project site during the site visit. Trees present within the project site could provide suitable nesting habitat for raptors and other nesting avian species. A discussion of life history and likelihood of occurrence of common raptors known in the vicinity of the project is included below. According to the Santa Clara Valley HCP, Los Gatos Creek, which is located adjacent to the northern limit of the project site, could provide habitat for tricolored blackbirds (*Agelaius tricolor*), a California Species of Special Concern. A life history discussion of tricolored blackbirds, and a discussion of likelihood to occur on the project site, is presented below.

Raptors. Raptors and their nests (including hawks, eagles, falcons, kestrels, and owls) are protected under the Migratory Bird Treaty Act of 1918 (MBTA) and DFW Code Sections 3503 and 3503.5. All active nests are protected from take by DFW Code Sections 3503 and 3503.5. While the life histories of these species vary, overlapping nesting similarities (approximately from mid-March to August 1) allows their concurrent discussion. Common raptor species likely to occur (at least foraging) within the proposed project site include, but are not limited to, red-tailed hawk, red-shoulder hawk, and American kestrel (*Falco sparverius*). Cooper's hawk, a special-status raptor species, has the potential to occur within the project site.

The CNDDB identifies 15 raptor occurrences including Cooper's hawk, golden eagle, white-tailed kite (*Elanus leucurus*), American peregrine falcon (*Falco peregrinus anatum*), and Osprey (*Pandion haliaetus*) within the nine USGS quadrangles examined. Trees throughout the project site could provide appropriate nesting habitat for these species, thus, several raptor species have the potential to occur within and adjacent to the project site.

Tricolored Blackbird. The tricolored blackbird is a DFW species of special concern. This species is common throughout the Central Valley and in coastal districts from Sonoma County south. In winter, this species becomes more widespread along the central coast and San Francisco Bay area (Grinnell and Miller, 1944). Tricolored blackbirds breed near fresh water, preferably in emergent wetlands with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, and tall herbs, which also serve as their preferred nesting habitat. Nests are built of mud and plant materials over or near fresh water, especially in emergent wetlands. This species is highly colonial and the minimum nesting colony size is about 50 pairs. Drinking water is probably required, at least when seeds and grains are the major foods.

The CNDDB identifies four tricolored blackbird occurrences within the nine quadrangles examined. Nesting habitat for the tricolored blackbird may exist within the riparian habitat associated with Los Gatos Creek adjacent to northeast portion of the proposed trail. Thus, tricolored blackbirds have the potential to occur adjacent to the project.

Sensitive Habitat. No sensitive habitats were observed within the project site during the project site visit. Riparian and wetland habitat associated with Los Gatos Creek were observed adjacent to the project site. The boundaries of the project do not include the riparian or wetland habitat associated with Los Gatos Creek; therefore, no impacts to sensitive habitat are expected to occur as a result of the project.

Ordinance Size Trees. During the project site survey, trees were observed that likely meet the requirements of ordinance trees as set forth by the City of San José Municipal Code. The project does not propose to remove existing trees and tree replacement will not be required. Standard protection measures for the existing trees will be required during project construction to ensure that impacts do not occur to existing ordinance or other trees.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| **ENVIRONMENTAL IMPACTS** | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| **4. BIOLOGICAL RESOURCES. Would the project:** | | | | | |
| a) 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 Game or U.S. Fish and Wildlife Service? | | X | | | 1, 2 |

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| b) 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 California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | X | 1, 2 |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | | X | 1 |
| d) 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? | | | | X | 1, 2 |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | X | | 1, 2 |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | | | X | | 1 |

## Explanation

a) **Less Than Significant with Mitigation**. Mature trees on the project site may provide nesting habitat for raptors (birds of prey). Raptors and their nests are protected under the Migratory Bird Treaty Act of 1918 and DFW Code Sections 3503 and 3503.5. Despite the disturbed nature of the site, there remains the potential for raptors to nest in these trees. In addition, nesting habitat for tricolored blackbirds may exist within the riparian habitat associated with Los Gatos Creek, which is adjacent to the northeastern portion of the project site. Please refer to e) below for further discussion of tricolored blackbirds. Mitigation is identified below to reduce potential impacts to nesting birds to a less-than-significant level.

### Mitigation

BIO1 If possible, construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, the project proponent shall retain a qualified ornithologist to conduct pre-construction surveys for nesting raptors to identify active raptor nests that may be disturbed during construction. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree disturbance. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the California Department of Fish & Wildlife, designate a construction-free buffer zone (typically 250 feet) around the nest. A report shall be submitted to the City's Environmental Principal Planner indicating the

results of the survey and any designated buffer zones to the satisfaction of the Director of Planning prior to the initiation of any construction activities.

b) **No Impact.** Sensitive natural communities, as identified in local or regional plans, policies, and regulations or by the CDFW or the USFWS, are not present on the project site. Riparian and wetland habitat, both considered sensitive by several relevant regulatory agencies, occur adjacent to the project site. However, the project does not propose to disturb these sensitive natural communities. Therefore, the project will not impact any sensitive natural communities.

c) **No Impact.** The project site is disturbed and does not contain any wetland resources. Wetland resources associated with Los Gatos Creek, adjacent to the project site, will not be impacted as a result of the project. The project, therefore, will not adversely affect federally protected wetlands as defined by Section 404 of the Clean Water Act.

d) **No Impact**. The project site is surrounded by urban built-up land and is subject to the continuous influence of human disturbance and activity. Therefore, habitat for an undisturbed wildlife corridor or migratory corridor does not exist. The project will not substantially interfere 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.

e) **Less Than Significant Impact.** The project will not conflict with any local policies or ordinances protecting biological resources. The project does not propose to remove existing trees. The standard measures below will be implemented during construction to assure that all trees to be retained are protected.

**Standard Conditions**

Pre-construction treatments

1. The applicant shall retain a consulting arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.
2. Fence all trees to be retained to completely enclose the TREE PROTECTION ZONE prior to demolition, grubbing or grading. Fences shall be 6 ft. chain link or equivalent as approved by consulting arborist. Fences are to remain until all grading and construction is completed.
3. Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.

During construction treatments

1. No grading, construction, demolition or other work shall occur within the TREE PROTECTION ZONE. Any modifications must be approved and monitored by the consulting arborist.
2. Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.
3. Supplemental irrigation shall be applied as determined by the consulting arborist.
4. If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.

5. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TREE PROTECTION ZONE.
6. Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.
7. As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees shall be designed to withstand differential displacement.

f) **Less Than Significant Impact**. The project site is located within the boundaries of the Santa Clara Valley HCP. The northern terminus of the project site is located within areas designated by the HCP as a wildlife survey area for tricolored blackbirds. According to Condition 17 of the HCP, projects within 250 feet of any riparian, coastal and valley freshwater marsh (perennial wetlands), or pond land cover types, are required to conduct field investigation to identify and map potential nesting substrate for tricolored blackbirds. Adherence to HCP Condition 17, as set forth under the Standard Conditions below, will assure that impacts to blackbird habitat remain less-than-significant.

Condition 11 of the HCP designates stream setbacks to minimize impacts to streams and surrounding riparian vegetation. Los Gatos Creek has a designated stream setback of 100 feet inside the urban service area. The northern terminus of the project enters into the area designated in the HCP as stream setback. The project is a recreational trail which, according to the terms of the Conditions set forth in the HCP, is exempt from the stream setback condition. Therefore, the stream setback does not apply to the proposed project. However, as part of the exemption the siting and design of recreational trails are still subject to Condition 9 (Prepare and Implement a Recreation Plan) of the HCP. The requirements of Condition 9 are set forth below under Standard Conditions.

Condition 12 of the HCP requires projects that anticipate impacts to wetland habitat to pay a wetland fee to cover the cost of restoration or creation of aquatic land cover. Wetlands associated with Los Gatos Creek are located adjacent to the project area and directly beneath the existing trestle spanning Los Gatos Creek. The project does not propose improvements to the existing trestle (addressed in previous environmental documentation). The project area will not traverse any wetlands associated with Los Gatos Creek. Therefore, no impacts to wetland habitat are anticipated. In addition, standard erosion control measures identified in the Hydrology chapter will ensure that disturbed soils do not enter into wetlands associated with Los Gatos Creek. The project, therefore, is not subject to the conditions outlined in Condition 12 of the HCP.

The HCP requires payment for nitrogen deposition fees for all covered projects generating new net trips, regardless of the project site.[3] The proposed project is for a short section of a trail master plan, generally recreational trail projects of this magnitude do not equate to an increase in net trips. Since the proposed project is not expected to generate new net trips, payment of nitrogen deposition fees is not anticipated.

[3] This fee is based on documentation that nitrogen deposition is known to have damaging effects on many of the serpentine plants in the HCP area, including host plants that support the Bay checkerspot butterfly. All major remaining populations of the butterfly and many of the sensitive serpentine plant populations occur in areas subject to air pollution from vehicle exhaust and other sources throughout the Bay Area. Mitigation for the impacts of nitrogen deposition on serpentine habitat and the Bay checkerspot butterfly can be correlated to the amount of new vehicle trips that a project is expected to generate. Therefore, fees collected under the HCP for new vehicle trips can be used to purchase conservation land and mitigate for this impact to Bay checkerspot butterfly.

**Standard Conditions**

- In accordance with Condition 17 of the HCP, projects within 250 feet of any riparian, coastal and valley freshwater marsh (perennial wetlands), or pond land cover types, are required to conduct field investigation to identify and map potential nesting substrate for tricolored blackbirds. If potential nesting substrate is mapped within 250 feet of proposed project activities the project proponent may revise the project to avoid all potential nesting areas and no additional surveying or conditions will be required. If the project proponent chooses not to avoid the potential nesting habitat and the 250-foot buffer, additional nesting surveys are required. Prior to any ground disturbance related to covered activities, a qualified biologist will:

    1. Make his/her best effort to determine if there has been nesting at the site in the past 5 years. This includes checking the CNDDB, contacting local experts, and looking for evidence of historical nesting (i.e., old nests).

    2. If no nesting in the past 5 years is evident, conduct a preconstruction survey in areas identified in the habitat survey as supporting potential tricolored blackbird nesting habitat. Surveys will be made at the appropriate times of year when nesting use is expected to occur. The surveys will document the presence or absence of nesting colonies of tricolored blackbird. Surveys will conclude no more than two calendar days prior to construction.

    To avoid last minute changes in schedule or contracting that may occur if an active nest is found, the project proponent may also conduct a preliminary survey up to 14 days before construction. If a tricolored blackbird nesting colony is present (through step 1 or 2 above), a 250-foot buffer will be applied from the outer edge of all hydric vegetation associated with the site and the site plus buffer will be avoided (see below for additional avoidance and minimization details). The Wildlife Agencies will be notified immediately of nest locations.

    If construction takes place during the breeding season when an active colony is present, a qualified biologist will monitor construction to ensure that the 250-foot buffer zone is enforced. If monitoring indicates that construction outside of the buffer is affecting a breeding colony, the buffer will be increased if space allows (e.g., move staging areas farther away). If space does not allow, construction will cease until the colony abandons the site or until the end of the breeding season, whichever occurs first. The biological monitor will also conduct training of construction personnel on the avoidance procedures, buffer zones, and protocols in the event that tricolored blackbirds fly into an active construction zone (i.e., outside the buffer zone).

- In accordance with Condition 9 of the HCP, the proposed trail will adhere to the following siting requirements:

    - Trails will be established on existing roads or trails wherever possible to minimize the need for new ground-disturbing activities and to reduce new and ongoing maintenance costs. However, this will be balanced with the need to reroute some poorly designed existing ranch roads that are difficult and expensive to maintain. In some cases, rerouting access roads may have net benefits on biological resources.

- New trails will be designed and operated to be compatible with natural resources protection. New trails will be sited to minimize impacts on sensitive species (including covered species) and natural communities as well as disturbance to adjacent landowners and land uses. Wetlands will be avoided except for educational trails, and trails through woodland or riparian habitat will avoid tree removal or substantial pruning to the extent possible. If tree removal is required, unhealthy, exotic tree species, or trees unlikely to reach maturity due to site conditions (e.g., being shaded out by larger trees) will be targeted for removal.

- Trails built across streams or through riparian corridors will be sited and designed with the smallest footprint necessary to cross the in-stream area. Stream crossings will be perpendicular to the channel and be designed to avoid any potential for future erosion. Trails that follow a stream course will be sited outside the riparian corridor to the maximum extent feasible.

- Trails will not be paved, except as required by law, and will be sited and designed so that they do not contribute to erosion and bank failure. To provide trail access for a range of user capabilities and needs (including persons with physical limitations) in a manner consistent with state and federal regulations, the landowner would site and design new, paved trails in areas within reserves that are already disturbed and do not have the potential to affect sensitive habitat. As common practice, these types of whole-access trails would be sited near staging areas.

## E. CULTURAL RESOURCES

### Setting

The project site is located within the City of San José's Archaeological Sensitivity Zone. A cultural resources investigation was completed by Basin Research Associates (2013), which included an archival search and field site survey. The results are summarized below.

No known prehistoric or historic era archaeological sites have been recorded or identified in or adjacent to the project. No known Native American villages, trails, traditional use areas or contemporary use areas have been identified in, adjacent to, or near the project alignment. No known Hispanic Period adobe dwellings or other structures and features dating to about ca. 1850 have been reported in or adjacent to the project. No known American Period buildings or features have been identified in or adjacent to the project.

One historic archaeologist site has been recorded adjacent to the proposed trail. One built environment resource, a railroad trestle of a standard pattern, is located near Lonus Street.[4] However, no known National Register of Historic Places or California Register of Historic Resources listed, determined eligible, or pending properties were identified in or adjacent to the APE as a result of the records search, literature review, and/or field survey.

A field inventory of the project site was also conducted by Basin Research, which did not find any indication of prehistoric and/or historic resources. The research and field inventory completed for the project suggests a very low potential for the presence of intact subsurface prehistoric and historic

[4] Improvements to the railroad trestle across Los Gatos Creek were evaluated in the Initial Study/Mitigated Negative Declaration for the Los Gatos Creek Trail- Reach 4 (2004).

archaeological deposits within the proposed trail alignment at the depths to be impacted by the future trail. In addition, the former railroad right-of-way has been impacted to unknown depths during its construction and has been subject to current soil remediation from past contamination that has significantly disturbed onsite soils.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 5. CULTURAL RESOURCES. Would the project: | | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA 15064.5? | | | | X | 1, 2, 5 |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA 15064.5? | | | X | | 1, 2 ,5 |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | | X | 1, 2 |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | X | | 1, 2 |

## Explanation

a) **No Impact**. The proposed alignment is located on a disturbed compacted dirt trail, formerly a railroad line, and does not contain any historical or other structures.

b) **Less Than Significant Impact**. The project is located in an archaeologically sensitive area and may encounter cultural resources during construction activities. The cultural resources study for the project indicates a very low potential for the presence of intact subsurface prehistoric and historic archaeological deposits within the proposed trail alignment (at depths to be impacted by the future trail). The following standard condition will further assure that archaeological resources are not impacted.

**Standard Conditions**

The project contractor will conform to the following standards to avoid impacts associated with disturbance to buried archaeological resources during construction:

- Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Environmental Principal Planner.

c) **No Impact**. The project site is disturbed and not known to contain any paleontological resources.

d) **Less Than Significant Impact**. Though unlikely, human remains could potentially be encountered during construction activities. The following standard condition will assure that human remains are not impacted.

Standard Conditions

The project contractor will conform to the following standards:

- As required by County ordinance, the project will incorporate the following guidelines. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California 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 Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, the Coroner shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

## F. GEOLOGY AND SOILS

### Setting

The project site is located in the Santa Clara Valley, which consists primarily of urbanized land with intervening northward-draining rivers and creeks. The topography of the trail alignment is flat, with an average elevation of about 120 feet above sea level.

The proposed trail is located primarily on an existing compacted dirt trail within former railroad right-of-way. The project alignment was formerly used by UPRR, which ceased operations along the line in the late 1970s. A number of chemicals were identified in onsite soils from the railroad use. In 2005, UPRR entered into a Voluntary Cleanup Agreement with the California Department of Toxic Substances Control (DTSC) and later conducted excavation and offsite disposal of contaminated soil and railroad track ballast. Implementation and completion of the removal activities is documented in the Final Removal Action Completion Report and Addendum (February 2013).

The project site is located in a region that contains active earthquake faults, including the San Andreas, Hayward, and Calaveras. The project site is located outside of any Alquist-Priolo Geologic Hazard zones. However, the project site is located within a Santa Clara County Liquefaction Hazard Zone.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 6. GEOLOGY AND SOILS. Would the project: | | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | | |
| i) Rupture of a know earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | X | 1, 2 |
| ii) Strong seismic ground shaking? | | | X | | 1, 2 |
| iii) Seismic-related ground failure, including liquefaction? | | | X | | 1, 2 |
| iv) Landslides? | | | | X | 1, 2 |
| b) Result in substantial soil erosion or the loss of topsoil? | | | X | | 1, 2 |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | X | | 1, 2 |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | | X | | 1, 2, 7 |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | | | | X | 1, 2 |

## Explanation

ai) **No Impact**. The site is not located within a State of California Earthquake Fault Hazard Zone and no known active faults cross the site. The risk of ground rupture within the subject site is considered low. The project located outside of any Alquist-Priolo Earthquake Fault Zones.

aii) **Less Than Significant Impact**. Due to its location in a seismically active region, the proposed trail and related structures may be subject to strong seismic ground shaking during its design life in the event of a major earthquake on any of the region's active faults. Seismic impacts will be minimized by implementation of standard engineering and construction techniques in compliance with the requirements of the California Building Code.

aiii) **Less Than Significant Impact**. As described above, the project site may be subject to strong ground shaking in the event of a major earthquake. The site may also be subject to liquefaction, since it is located within a Santa Clara County Liquefaction Hazard Zone. See response to c), d) below.

aiv) **No Impact**. The project site has virtually no vertical relief and will not be subject to landsliding. This project does not involve any improvements that directly affect Los Gatos Creek.

b) **Less Than Significant Impact**. Development of the project will require clearing and grading activities that could result in a temporary increase in erosion. This increase in erosion is expected to be relatively minor due to the flatness of the site. The project will implement the standard measures identified in the Hydrology and Water Quality chapter of this Initial Study to minimize erosion impacts.

c), d) **Less Than Significant Impact**. The project may be subject to soil hazards, such as weak or expansive soils, that are not documented for the site. The proposed trail does not require geotechnical evaluation; however, a geotechnical evaluation will be required for the construction of the two decorative water tower structures. Implementation of the standard condition below will assure that any potential geotechnical impacts associated with the water tower structures remain less-than-significant.

**Standard Condition**

- Prior to the issuance of a grading permit, a design-level geotechnical analysis shall be prepared by a qualified geologist for the water tower structures located at the Bird/Willow gateways, and submitted to the Director of Public Works for review and approval. The towers shall be designed and constructed in accordance with the specific recommendations of the design-level geotechnical investigation.

e) **No Impact**. The project does not include any septic systems.

## G. GREENHOUSE GAS EMISSIONS

### Setting

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide ($CO_2$), methane ($CH_4$), ozone ($O_3$), water vapor, nitrous oxide ($N_2O$), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Source(s) |
|---|---|---|---|---|---|---|
| 7. | GREENHOUSE GAS EMISSIONS. Would the project: | | | | | |
| a) | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | | X | 1, 4, 6 |
| b) | Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | | X | 1, 4, 6 |

### Explanation

a) **Less Than Significant Impact**. The City of San José has adopted a GHG Reduction Strategy that includes policies and measures to reduce GHG emissions. Adoption of the GHG Strategy provides environmental clearance for GHG impacts of proposed development as per the BAAQMD CEQA Guidelines and CEQA Guidelines Section 15183.5. The project site is identified as "Core Trail" on the City's Open Space, Parklands, and Trail's Diagram of the 2040 General Plan. The proposed trail is consistent with the City's General Plan and GHG Strategy; therefore, it will have a less-than-significant impact for GHG emissions.

b) **Less Than Significant Impact**. The project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, since the proposed project is consistent with the City's GHG Reduction Strategy. See a) above.

## H. HAZARDS AND HAZARDOUS MATERIALS

### Setting

The proposed trail is located on an existing compacted dirt trail within former railroad right-of-way. The alignment was formerly used by UPRR, which ceased operations along this line in the late 1970s. Investigations in 2004 and 2006 identified a number of chemicals in the soils along the right-of-way, including arsenic, cadmium, lead, total petroleum hydrocarbons as motor oil, and polycyclic aromatic hydrocarbons. Of these, arsenic was the predominant chemical of concern. UPRR entered into a Voluntary Cleanup Agreement with the California Department of Toxic Substances Control (DTSC) in November 2005 to further investigate and implement cleanup measures for the site. DTSC approved the Final Removal Action Workplan on November 10, 2010. Remediation activities were conducted, which consisted of the excavation and offsite disposal of 34,518 tons of contaminated soil and railroad track ballast. The implementation of these removal activities is documented in the Final Removal Action Completion Report (January 20, 2012) and the Removal Action Completion Report Addendum (February 15, 2013). The site has been remediated to residential use standards and ownership has been transferred from UPRR to the City of San José.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 7. HAZARDS AND HAZARDOUS MATERIALS. Would the project: | | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | | X | 1, 2, 7 |
| b) 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? | | | | X | 1, 2, 7 |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school? | | | | X | 1, 2, 7 |
| d) 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, would it create a significant hazard to the public or the environment? | | | | X | 1, 2 |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | X | 1, 2 |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | | | | X | 1, 2 |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | X | 1, 2 |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | X | 1, 2 |

## Explanation

a) **No Impact**. The proposed trail will not involve the routine transport, use, or disposal of any hazardous materials.

b) **No Impact**. As described earlier, the project site is located within former UPRR right-of-way. Investigations identified a number of chemicals in the soils along the right-of-way including arsenic. Soils along the entire trail alignment were excavated and disposed of off-site. The implementation of removal activities is documented in DTSC's Final Removal Action Completion Report and Addendum. The site has been remediated to residential use standards, and no further contamination is expected. Therefore, the project will not 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.

c) **No Impact**. The proposed trail will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.

d) **No Impact**. The proposed trail is not located on a site that is included on a list of hazardous materials sites as per Government Code Section 65962.5 (Cortese List).

e) **No Impact**. The proposed trail is not located within an airport land use plan.

f) **No Impact**. The proposed trail is not located within the vicinity of a private airstrip.

g) **No Impact**. The proposed trail will not interfere with any emergency response or evacuation plans.

h) **No Impact**. The project will not expose people or structures to risk from wildland fires as it is located in an urban area that is not prone to such events.

## I. HYDROLOGY AND WATER QUALITY

### Setting

The nearest drainage to the project site is Los Gatos Creek, located near the trail alignment south of Lonus Street. Los Gatos Creek originates in the Santa Cruz Mountains and flows through Los Gatos, Campbell, and San José, where it connects to the Guadalupe River. The Guadalupe River lies about 500 feet or more to the east of the proposed trail. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the portion of the proposed trail alignment generally between Willow Street and Minnesota Avenue is located within the 100-year floodplain of Guadalupe River (Zone A0: depth 1 foot).

The City of San José is required to operate under a Municipal Stormwater NPDES Permit to discharge stormwater from the City's storm drain system to surface waters. On October 14, 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José. The Municipal Regional Permit (NPDES Permit No. CAS612008) mandates the City of San José use its planning and development review authority to require that stormwater management measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff. Provision C.3 of the MRP regulates the following types of development projects:

- Projects that create or replace 10,000 square feet or more of impervious surface.
- Special Land Use Categories that create or replace 5,000 square feet or more of impervious surface.

The MRP requires regulated projects to include Low Impact Development (LID) practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site's natural hydrologic functions. The MRP requires that stormwater treatment measures are properly installed, operated, and maintained.

The City has developed policies that implement Provision C.3, consistent with the MRP. The City's Post-Construction Urban Runoff Management Policy (6-29) establishes specific requirements to minimize and treat stormwater runoff from new and redevelopment projects. The City's Post-Construction Hydromodification Management Policy (8-14) establishes an implementation framework for incorporating measures to control hydromodification impacts from development projects.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 8. HYDROLOGY AND WATER QUALITY. Would the project: | | | | | |
| a) Violate any water quality standards or waste discharge requirements? | | | X | | 1, 2 |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | | X | 1, 2 |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. | | | X | | 1, 2 |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? | | | X | | 1, 2 |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | | | X | | 1, 2 |
| f) Otherwise substantially degrade water quality? | | | X | | 1, 2 |
| g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | | | X | 1, 2 |
| h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows? | | | | X | 1, 2 |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | | X | 1, 2 |
| j) Inundation by seiche, tsunami, or mudflow? | | | | X | 1, 2 |

## Explanation

a) **Less Than Significant Impact**. The proposed trail will not violate any water quality standards or waste discharge requirements as described in c) and e) below.

b) **No Impact**. The project would not deplete or otherwise affect groundwater supplies or recharge, since the project alignment is not located within a groundwater recharge area.

c) **Less Than Significant Impact**. Construction of the project will require clearing and grading activities that could result in a temporary increase in erosion affecting the quality of storm water runoff. The project contractor will implement the standard measures identified below to minimize erosion and water quality impacts.

**Standard Conditions**

Construction Measures

Prior to the commencement of any clearing, grading or excavation, the project shall comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, to the satisfaction of the Director of Public Works, as follows:

1. The applicant shall develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities.
2. The applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).

The project shall incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with construction activities. Examples of BMPs are contained in the publication *Blueprint for a Clean Bay*, and include preventing spills and leaks, cleaning up spills immediately after they happen, storing materials under cover, and covering and maintaining dumpsters. Prior to the issuance of a grading permit, the applicant may be required to submit an Erosion Control Plan to the City Project Engineer, Department of Public Works, 200 E. Santa Clara Street, San José, California, 95113. The Erosion Control Plan may include BMPs as specified in ABAG's *Manual of Standards Erosion & Sediment Control Measures* for reducing impacts on the City's storm drainage system from construction activities. For additional information about the Erosion Control Plan, the NPDES Permit requirements or the documents mentioned above, please call the Department of Public Works at (408) 535-8300.

The project applicant shall comply with the City of San José Grading Ordinance, including erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:

1. Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season;
2. Utilize on-site sediment control BMPs to retain sediment on the project site;
3. Utilize stabilized construction entrances and/or wash racks;
4. Implement damp street sweeping;
5. Provide temporary cover of disturbed surfaces to help control erosion during construction; and
6. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

Post-Construction

The project shall comply with applicable provisions of the following City Policies: City Council Policy 6-29 Post-Construction Urban Runoff Management and City Council Policy 8-14 Post-Construction Hydromodification Management.

Details of specific Site Design, Pollutant Source Control, and Stormwater Treatment Control Measures demonstrating compliance with Provision C.3 of the MRP (NPDES Permit Number CAS612008), shall be included in the project design, to the satisfaction of the Director of Planning, Building and Code Enforcement.

d) **Less Than Significant Impact**. Development of the proposed trail will increase the impervious surfaces on the project site by approximately 87,000 square feet, which will result in an increase in storm runoff. The trail will be designed to sheet drain into 2 to 5-foot wide gravel shoulders.

A portion of the project alignment, roughly between Willow Street and Minnesota Avenue, is located within the 100-year floodplain of Guadalupe River. This segment of the trail may be temporarily inundated during a 100-year storm event. During such an event, the trail will be closed. Development of the trail within the floodplain will result in a very minor, if any, increase in water surface elevation during flood events.

The project is not expected to substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Implementation of the standard measures identified in c) above will reduce potential drainage/runoff impacts to a less-than-significant level.

e) **Less Than Significant Impact**. The project is not expected to contribute runoff that will exceed the capacity of existing or planned storm water drainage systems or result in substantial additional sources of polluted runoff. See also c) above.

f) **Less Than Significant Impact**. Water quality impacts during construction are addressed in c) above. Surface runoff from proposed trail development may contain urban pollutants such as metals, pesticides, oil, and animal waste. The measures outlined in c) above will assure that the project does not substantially degrade water quality.

g) **Less Than Significant Impact**. The project is a public trail and will not place housing within a 100-year flood-hazard zone.

h) **Less Than Significant Impact**. The project site is located within the 100-year floodplain. The only structures to be introduced into the floodplain are a paved surface trail and minor amenities such as park benches and small playground equipment. Development of the trail improvements within the floodplain will not impede or redirect flood flows.

i) **Less Than Significant Impact**. A portion of the project alignment between Willow Street and Minnesota Avenue is located within the 100-year floodplain. This segment of the trail may be temporarily inundated during a 100-year storm event, during which time the trail would be closed. The proposed trail will not expose people or structures to significant risk of loss, injury or death from flooding.

j) **No Impact**. The project site is not located in an area subject to significant seiche, tsunami, or mudflow risk.

## J. LAND USE

### Setting

The proposed trail alignment extends approximately 6,660 feet between Lonus Street and Falcon Place in the Willow Glen community. The majority of the alignment is located within former UPRR right-of-way. A small portion of the alignment south of Minnesota Avenue is located on an existing paved trail.

The alignment is bordered predominantly by residential neighborhoods, with four roadway crossings. An aerial of the project alignment is presented in Figure 3. The project is identified "Core Trail" on the City's Open Space, Parklands, and Trail's Diagram of the 2040 General Plan.

### Impacts and Mitigation

***Thresholds per CEQA Checklist***

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 9. LAND USE AND PLANNING. Would the project: | | | | | |
| a) Physically divide an established community? | | | | X | 1, 2 |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | | | X | 1, 6 |
| c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan? | | | X | | 1 |

### Explanation

a) **No Impact**. The project is proposed on a former railroad right-of-way and will not divide an established community.

b) **No Impact**. The project is identified as "Core Trail" on the City's Open Space, Parklands, and Trail's Diagram of the 2040 General Plan. The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

c) **Less Than Significant Impact**. The project is located within the boundaries of the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan. Please refer to the discussion in D. Biological Resources.

## K. MINERAL RESOURCES

### Setting

Under the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated only the Communications Hill Area of San José as containing mineral deposits of regional significance for aggregate (Sector EE). There are no mineral resources in the project area. Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits that are of statewide significance or for which the significance requires further evaluation. Other than the Communications Hill area cited above, San José does not have mineral deposits subject to SMARA. The project site lies outside of the Communications Hill area.

### Impacts and Mitigation

***Thresholds per CEQA Checklist***

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 10. MINERAL RESOURCES. Would the project: | | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | | X | 1, 2 |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | | | | X | 1, 2 |

### Explanation

a), b) **No Impact**. The project site is located outside the Communications Hill area, the only area in San José containing mineral deposits subject to SMARA; therefore, the project will not result in a significant impact from the loss of availability of a known mineral resource.

## L. NOISE

### Setting

The Envision San José 2040 General Plan and the San José Municipal Code include the following criteria for land use compatibility and acceptable noise levels in the City:

- Policy EC-1.2 of the General Plan considers noise impacts significant if a project would increase noise levels on adjacent sensitive land uses including residences as follows:
    - Cause the DNL (Day-Night Sound Level) 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.
- Policy EC-1.7 of the General Plan requires construction operations 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:

- 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.

The primary sources of noise at the project site are from vehicular traffic on neighboring streets. Sensitive noise receptors in the project area consist of adjacent residential uses.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 11. NOISE. Would the project result in | | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies? | | | X | | 1, 2 |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | | | | X | 1, 2 |
| c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X | | 1, 2 |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X | | 1, 2 |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | | X | 1, 2 |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | | | | X | 1, 2 |

## Explanation

a) **Less Than Significant Impact**. The only sources of permanent noise generated by the project would result from human activity along the trail, such as people bicycling, walking, and conversing. These noise sources would not be loud or frequent enough to raise the long-term noise levels at adjacent residences. See d) below for a discussion of construction noise impacts.

b) **No Impact.** The proposed project is not subject to groundborne vibration, nor will it generate any permanent source of groundborne vibration at nearby sensitive receptors.

c) **Less Than Significant Impact.** The project is not expected to result in permanent noise increases from operational sources. Noise will be generated on the site in the short-term during construction activities. Refer to a) and d).

d) **Less Than Significant Impact**. Construction of the proposed trail will temporarily elevate noise levels in the immediate project area from the use of construction equipment. Typical hourly average construction generated noise levels could range from about 77 to 89 dBA during busy construction periods, measured at a distance of 50 feet from the center of the construction site. (These noise levels decrease at a rate of about six dBA per each doubling of distance.) Noise levels at adjacent residential uses could intermittently exceed 70-80 dBA. Residences located at greater distances would be exposed to lower noise levels. The temporary increase in noise during construction would result in potentially significant short-term impacts on nearby residences. Implementation of standard conditions identified below will reduce the construction impacts to a less-than-significant level.

Standard Conditions

- Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

- The contractor shall use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.

- Locate stationary noise generating equipment as far as possible from sensitive receptors. Staging areas shall be located a minimum of 200 feet from noise sensitive receptors, such as residential uses.

e) **No Impact**. The project is not located within an airport land use plan.

f) **No Impact.** The project is not located near any private airstrips.

## M. POPULATION AND HOUSING

### Setting

The population of the City of San José is approximately 989,000. The proposed trail will not affect population or housing.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 12. POPULATION AND HOUSING. Would the project: | | | | | |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | | X | 1 |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | | X | 1 |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | | X | 1 |

## Explanation

a) **No Impact**. The project consists of a trail and will not result in population growth.

b) **No Impact**. The project consists of a trail and will not displace housing.

c) **No Impact**. The project consists of a trail and will not displace substantial numbers of people

## N. PUBLIC SERVICES

### Setting

Police and fire protection services are provided to the project site by the City of San José Police and Fire Departments. The project would be constructed by the San José Department of Public Works, and maintained by the San José Department of Parks, Recreation and Neighborhood Services.

**Fire Protection**: Fire protection services are provided to the project site by the San José Fire Department (SJFD). The closest fire station to the project site is Station 6, located at 1386 Cherry Avenue about half a mile to the southwest.

**Police Protection**: Police protection services are provided to the project site by the San José Police Department (SJPD).

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: | | | | | |
| a) Fire protection? | | | | X | 1 |
| b) Police protection? | | | | X | 1 |
| c) Schools? | | | | X | 1 |
| d) Parks? | | | | X | 1 |
| e) Other public facilities? | | | X | | 1 |

### Explanation

a) **No Impact**. The City will consult with the San José Fire Department during final project design to assure appropriate fire safety measures are incorporated. The project will not significantly impact fire protection services or require the construction of new or remodeled facilities.

b) **No Impact**. The City will consult with the San José Police Department during final project design to assure appropriate security measures are incorporated. The project will not significantly impact police protection services or require the construction of new or remodeled facilities.

c) **No Impact**. The project will not affect school services.

d) **No Impact**. The project will provide a public trail that will enhance and expand the City's park/recreational facilities.

e) **Less Than Significant Impact.** The proposed trail will somewhat increase maintenance requirements for upkeep of the proposed trail. However, the project would not substantially expand park uses or substantially increase demands on the City's Department of Parks, Recreation and Neighborhood Services or otherwise significantly impact other public services.

## O. RECREATION

### Setting

The Three Creeks Trail Master Plan is proposed to meet the City's goals for providing a connection in the trail system to provide a continuous connection between the Three Creeks, Los Gatos Creek, and Guadalupe River trails.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|---|
| 14. | RECREATION. Would the project: | | | | | |
| a) | Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | | X | 1 |
| b) | Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | | | | X | 1 |

## Explanation

a), b) **No Impact**. The project consists of developing a public trail. The project would not substantially expand park uses or substantially increase demands on the City's Department of Parks, Recreation and Neighborhood Services. The project would have a beneficial impact on recreation resources by expanding walking and bicycling opportunities in the area and providing a link to other trail facilities.

## P. TRANSPORTATION

## Setting

The trail is intended for commuting and recreational purposes, and will accommodate bicycles and pedestrians. The trail alignment crosses Coe Avenue, Broadway Avenue, the intersection of Willow Street/Bird Avenue, and Minnesota Avenue. Access to the trail will be available from Coe Avenue, Broadway Avenue, Willow Street at Bird Avenue, Delmas Avenue, Milton Way, and Minnesota Avenue. No new parking areas are proposed as part of the trail.

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Source(s) |
|---|---|---|---|---|---|---|
| 16. | TRANSPORTATION/TRAFFIC. Would the project: | | | | | |
| a) | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | | | X | | 1, 2 |

| ENVIRONMENTAL IMPACTS | | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Source(s) |
|---|---|---|---|---|---|---|
| b) | Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | | | X | | 1, 2 |
| c) | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | | | X | 1, 2 |
| d) | Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)? | | | | X | 1, 2 |
| e) | Result in inadequate emergency access? | | | X | | 1, 2 |
| f) | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | | | X | | 1, 2 |

**Explanation**

a), b) **Less Than Significant Impact.** The project is a public trail. The proposed trail is located within residential areas, and it is assumed that the trail users would walk or bicycle to the trail from nearby neighborhoods or existing/future trail connections.

The proposed trail alignment would cross four roadways. The intersection is not expected to present a safety hazard, since the trail gateways will be designed in coordination with the City Department of Transportation and include proper signage to assure safe crossings.

c) **No Impact**. The project will not result in any changes to air traffic patterns.

d) **No Impact**. The proposed trail will not increase hazards due to a design feature or incompatible uses.

e) **Less Than Significant Impact**. The proposed trail will not result in inadequate emergency access.

f) **Less Than Significant Impact**. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The project will implement City and regional policies to provide and promote pedestrian and bicycle facilities.

## Q. UTILITIES AND SERVICE SYSTEMS

**Setting**

Utilities and services are furnished to the project area by the following providers:

- Wastewater Treatment: treatment and disposal provided by the San José/Santa Clara Water Pollution Control Plant (WPCP); sanitary sewer lines maintained by the City of San José
- Water Service: San José Water Company
- Storm Drainage: City of San José

- Solid Waste: Various
- Natural Gas & Electricity: PG&E

## Impacts and Mitigation

### *Thresholds per CEQA Checklist*

| ENVIRONMENTAL IMPACTS | | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|---|
| 16. | UTILITIES AND SERVICE SYSTEMS. Would the project: | | | | | |
| a) | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | | X | 1, 2 |
| b) | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction or which could cause significant environmental effects? | | | X | | 1, 2 |
| c) | Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | X | | 1, 2 |
| d) | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | X | | 1 |
| e) | Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | X | | 1 |
| f) | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | | X | 1 |
| g) | Comply with federal, state, and local statutes and regulations related to solid waste? | | | | X | 1 |

## Explanation

a) **No Impact**. The proposed project will not exceed or impact wastewater treatment requirements of the applicable Regional Water Quality Control Board.

b) **Less Than Significant Impact**. The proposed trail improvements do not include restrooms that could increase wastewater generation. After construction, the project does not propose any water use or irrigation system, with the possible exception of a water fountain.

c) **Less Than Significant Impact**. The project does not propose new storm water drainage facilities or expansion of existing facilities.

d) **Less Than Significant Impact**. The project does not propose any restrooms or irrigation systems. A water fountain along the trail may be installed. This would not result in sufficient water supplies or impacts to water services.

e) **Less Than Significant Impact**. The proposed trail improvements do not include restrooms that could increase wastewater generation.

f), g) **No Impact**. The project will not generate substantial new source of solid waste compared to existing conditions.

## R. MANDATORY FINDINGS OF SIGNIFICANCE

| ENVIRONMENTAL IMPACTS | Potentially Significant Issues | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Checklist Source(s) |
|---|---|---|---|---|---|
| 17. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project: | | | | | |
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | X | | | 1, 2 |
| b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects. | | | X | | 1, 2 |
| c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | | | X | | 1 |

### Explanation

a) **Less Than Significant Impact with Mitigation**. Based on the analysis provided in this Initial Study, the proposed project will not substantially degrade or reduce wildlife species or habitat, or impact historic or other cultural resources with the standard measures and mitigation identified within the body of this Initial Study.

b), c) **Less Than Significant Impact**. Based on the analysis provided in this Initial Study, the proposed project will not significantly contribute to cumulative impacts, nor will it cause substantial adverse effects on humans.

*This page left intentionally blank.*

# Chapter 4. References

**LEAD AGENCY**

**City of San José Department of Planning, Building and Code Enforcement**
Joseph Horwedel, Director
John Davidson, Senior Planner

**REPORT PREPARATION**

**Denise Duffy & Associates, Inc.**
**Environmental Consultant**
Leianne Humble, Senior Planner
Diana Buhler, Assistant Planner
Matthew Johnson, Graphics

**PERSONS CONTACTED**

Colin Busby, Basin Research Associates
Cordy Hill, RHAA
Kirsten Ostberg, RHAA
Yves Zsutty, San José PRNS

**BIBLIOGRAPHY**

Basin Research Associates, *Archaeological Review - Initial Study Three Creeks Trail Master Plan Environmental Assessment, City of San Jose*, September 2013.

Bay Area Air Quality Management District, *BAAQMD CEQA Guidelines*, revised 2012.

Bay Area Air Quality Management District, *Clean Air Plan*, March 2010.

California Department of Conservation, *Santa Clara County Important Farmlands Map*, accessed online 2013.

California Department of Toxic Substances Control, DTSC Certification of Removal Action at Willow Glen Right-of-Way, between Lonus Street and Minnesota Avenue, San José, CA, March 12, 2013.

City of San José, *Envision San José 2040 General Plan*, adopted November 2011.

City of San José, Initial Study/Mitigated Negative Declaration for Los Gatos Creek Trail, Reach 4, Coe Avenue to Auzerais Avenue, May 2004.

Grinnell, J and A.H. Miller, The Distribution of Birds of California. Pacific Coast Avifauna No. 27, 1944.

**CHECKLIST SOURCES**

1. CEQA Guidelines and professional expertise of consultant
2. Project Plan and Site Review
3. Important Farmlands Map, 2013
4. BAAQMD CEQA Guidelines, 2012
5. Archaeological Evaluation, 2013
6. Envision San José 2040 General Plan
7. DTSC Certification of Removal Action, 2013

# Appendix A
# Special Status Species Database

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| **MAMMALS** | | | |
| *Antrozous pallidus*<br>Pallid bat | -- / CSC / -- | A wide variety of habitats are utilized including grasslands, shrublands, woodlands, and forests from sea level up through mixed conifer forests. Most common in open, dry habitats with rocky areas for roosting. Also relatively common on bridges. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Corynorhinus townsendii*<br>Townsend's big-eared bat | -- / CSC / -- | Humid coastal regions of northern and central California. Roost in limestone caves, lava tubes, mines, buildings, etc. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Dipodomys heermanni berkeleyensis*<br>Berkeley kangaroo rat | -- / -- / -- | Found in annual grassland, coastal scrub, mixed and montane chaparral, and early successional stages (sparse to open canopy) of valley foothill hardwood and hardwood-conifer habitats. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Dipodomys venustus venustus*<br>Santa Cruz kangaroo rat | -- / CNDDB / -- | Common permanent residents of chaparral and foothill woodland habitats within the Santa Cruz Mountains from 0-1799 meters. Use well-drained loam or sandy loam soils for burrowing. Burrows are typically shallow (2-20 inches below the surface) and simple with a main chamber and few escape chambers. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Lasiurus cinereus*<br>Hoary bat | -- / CNDDB / -- | Prefers open habitats or habitat mosaics with access to trees for cover and open areas or edge for feeding. Generally roost in dense foliage of trees; does not use buildings for roosting. Winters in California and Mexico and often migrates towards summer quarters in the north and east during the spring. Young are born and reared in summer grounds, which is unlikely to occur in California. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Myotis evotis*<br>Long-eared myotis bat | -- / CNDDB / -- | Found in brush, woodland, and forest habitats. Nursery colonies in buildings, crevices, spaces under bark, and snags; caves are used primarily as night roosts. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Myotis yumanensis*<br>Yuma myotis bat | -- / CNDDB / -- | Found in a wide variety of habitats from sea level to 3300 meters, but uncommon to rare above 2560 meters. Optimal habitats are open forests and woodlands with sources of water over which to feet. Common and widespread in California; uncommon in the Mojave and Colorado Desert regions. Roosts in buildings, mines, caves, or crevices. Also observed roosting in abandoned swallow nests and under bridges. Forms maternity colonies of several thousand females. | **Unlikely**<br>Habitat for this species does not exist on the project site. |
| *Reithrodontomys raviventris*<br>Salt marsh harvest mouse | FE / SE&CFP /-- | Salt marsh of San Francisco Bay and tributaries. Pickleweed is the primary habitat. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Sorex vagrans halicoetes*<br>Salt marsh wandering shrew | -- / CSC / -- | Salt marshes of the south arm of San Francisco Bay | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| **BIRDS** | | | |
| *Accipiter cooperii*<br>Cooper's hawk<br>(nesting) | -- / CNDDB / -- | Resident throughout most of the wooded portion of the state. Dense stands of live oak, riparian deciduous or other forest habitats near water used most frequently. Seldom found in areas without dense tree stands, or patchy woodland habitats. | **Low**<br>Trees within project site provide nesting habitat. |
| *Agelaius tricolor*<br>Tricolored blackbird<br>(nesting colony) | -- / CSC / -- | Nest in colonies in dense riparian vegetation, along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats. | **Low**<br>Suitable habitat for this species may exist adjacent to the project site within the riparian habitat associated with Los Gatos Creek. The Santa Clara Valley HCP has defined this area as possible habitat for this species. |
| *Ardea herodias*<br>Great blue heron (nesting colony) | -- / CNDDB / -- | Occur in areas near water; marshes, swamps, shores, sloughs, and tide flats. (Rookeries protected) | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Aquila chrysaetos*<br>Golden eagle<br>(nesting & wintering) | -- / CFP / -- | Use rolling foot-hills, mountain terrain, wide arid plateaus deeply cut by streams and canyons, open mountain slopes, cliffs, and rocky outcrops. Nest in secluded cliffs with overhanging ledges as well as large trees. | **Unlikely**<br>Nesting habitat for this species does not exist on the project site. |
| *Athene cunicularia*<br>Burrowing owl<br>(burrow sites & some wintering sites) | -- / CSC / -- | Year round resident of open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. Frequent open grasslands and shrublands with perches and burrows. Use rodent burrows (often California ground squirrel) for roosting and nesting cover. Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available. | **Unlikely**<br>Nesting habitat for this species does not exist on the project site. |
| *Charadrius alexandrinus nivosus*<br>Western snowy plover (nesting) | FT / CSC / -- | Sandy beaches on marine and estuarine shores, also salt pond levees and the shores of large alkali lakes. Requires sandy, gravelly or friable soil substrate for nesting. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Circus cyaneus*<br>Northern harrier (nesting) | -- / CSC / -- | Generally found in flat open areas with tall, dense grasses, shrubs, and edges for cover and breeding. Use tall grasses in wetlands or at wetland borders for nesting. | **Unlikely**<br>Nesting habitat for this species does not exist on the project site. |
| *Cypseloides niger*<br>Black swift<br>(nesting) | -- / CSC / -- | Regularly nests in moist crevice or cave on sea cliffs above the surf, or on cliffs behind, or adjacent to, waterfalls in deep canyons. Forages widely over many habitats. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Egretta thula*<br>Snowy egret (nesting colony) | -- / CNDDB / -- | Requires dense emergent wetlands or trees within daily commuting range of suitable feeding areas. Roosts in dense, emergent vegetation and in trees near water edge. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Elanus leucurus*<br>White-tailed kite<br>(nesting) | -- / CFP / -- | Open groves, river valleys, marshes, and grasslands. Prefer such area with low roosts (fences etc.). Nest in shrubs and trees adjacent to grasslands. | **Unlikely**<br>Nesting habitat for this species does not exist on the project site. |
| *Falco peregrinus anatum*<br>American peregrine falcon<br>(nesting) | -- / CFP / -- | Forages for other birds over a variety of habitats. Breeds primarily on rocky cliffs. | **Unlikely**<br>Nesting habitat for this species does not exist on the project site. |
| *Geothlypis trichas sinuosa*<br>Saltmarsh common yellowthroat | -- / CSC / -- | Resident of the San Francisco Bay region, in fresh and salt water marshes. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nesting. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Laterallus jamaicensis coturniculus*<br>California black rail | -- / ST / -- | Inhabits freshwater marshes, wet meadows & shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that does not fluctuate during the year & dense vegetation for nesting habitat. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Melospiza melodia pusillula*<br>Alameda song sparrow | -- / CSC- / -- | Resident of salt marshes bordering south arm of San Francisco Bay. Inhabits *Salicornia* marshes; nests low in G*rindelia* bushes (high enough to escape high tides) and in *Salicornia*. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Pandion haliaetus*<br>Osprey<br>(nesting) | -- / CNDDB / -- | Associated strictly with large, fish-bearing waters, primarily in ponderosa pine through mixed conifer habitats. Uses large trees, snags, and dead-topped trees in open forest habitats for cover and nesting. Breeds in northern California from the Cascade Ranges, south to Lake Tahoe and along the coast south to Marin County and is an uncommon winter visitor along the coast of Southern California. | **Unlikely**<br>Nesting habitat for this species does not exist on the project site. |
| *Rallus longirostris obsoletus*<br>California clapper rail | FE / SE&CFP /-- | Occur within a range of salt and brackish marshes. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |
| *Sternula antillarum browni*<br>California least tern | FE / SE / -- | Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, land-fills, or paved areas. | **Not Present**<br>Suitable habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| **REPTILES AND AMPHIBIANS** | | | |
| *Ambystoma californiense* California tiger salamander | FT / ST&CSC /-- | Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need underground refuges and vernal pools or other seasonal water sources. | **Not Present** Habitat for this species does not exist on the project site. The closest known CTS breeding location is approximately 2 miles southeast of the project site. The project site is surrounded by urban developed land. Aquatic breeding resources are not present on the project site. |
| *Emys marmorata* Western pond turtle (includes *E. m. pallida* and *E. m. marmorata* as recognized by the DFG) | -- / CSC / -- | Associated with permanent or nearly permanent water in a wide variety of habitats including streams, lakes, ponds, irrigation ditches, etc. Require basking sites such as partially submerged logs, rocks, mats of vegetation, or open banks. | **Unlikely** Suitable habitat for this species does not exist on the project site. Lonus Creek, adjacent to the project site may provide suitable habitat however this species has not been reported there in the past. |
| *Masticophis lateralis euryxanthus* Alameda whipsnake | FT / ST / -- | Restricted to valley-foothill hardwood habitat of the coast ranges between the vicinity of Monterey and north San Francisco Bay. | **Not Present** Suitable habitat for this species does not exist on the project site. |
| *Phrynosoma blainvillii* Coast horned lizard | -- / CSC / -- | Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Rana boylii* Foothill yellow-legged frog | -- / CSC / -- | Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats, including hardwood, pine, and riparian forests, scrub, chaparral, and wet meadows. Rarely encountered far from permanent water. | **Not Present** Suitable habitat for this species does not exist on the project site. |
| *Rana draytonii* California red-legged frog | FT / CSC / -- | Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows. | **Not Present** Habitat for this species does not exist on the project site. The closest known CRLF breeding location is approximately 10 miles west of the project site. The project site is surrounded by urban developed land. Aquatic breeding resources are not present on the project site. |
| **FISH** | | | |
| *Oncorhynchus kisutch* Coho salmon (central California coast ESU) | FE/ST&CSC/-- | All naturally spawned populations from Punta Gorda south to and including the San Lorenzo River; populations in tributaries to San Francisco Bay, excluding the Sacramento–San Joaquin River system; and four artificial propagation programs. | **Not Present** Suitable habitat for this species does not exist on the project site. |
| *Oncorhynchus mykiss irideus* Steelhead (Central California Coast ESU) | FT / -- / -- | Coastal perennial and near perennial streams, with suitable spawning and rearing habitat and no major barriers. | **Not Present** Suitable habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Oncorhynchus mykiss irideus* Steelhead (South/Central CA Coast ESU) | FT / -- / -- | Coastal perennial and near perennial streams, with suitable spawning and rearing habitat and no major barriers. | **Not Present** Suitable habitat for this species does not exist on the project site. |
| *Spirinchus thaleichthys* Longfin smelt | -- / ST / -- | Euryhaline, nektonic & anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column. Prefers salinities of 15-30 PPT, but can be found in completely freshwater to almost pure seawater. | **Not Present** Suitable habitat for this species does not exist on the project site. |
| **INVERTEBRATES** | | | |
| *Adela oplerella* Opler's longhorn moth | -- / CNDDB / -- | Occur in dry, nutrient-poor, serpentine soil grasslands of the greater San Francisco Bay area and adjacent foothills and valleys. Adults fly, mate, and lay their eggs between mid-March and late April; this timing varies depending on the weather. Eggs are deposited directly into the unopened flowers of the host plant; California cream cups (*Platystemon californicus*). The adult host plant is not known, though it appears that the adults may feed on the nectar of California cream cups and other native herbaceous species. Dispersal distance is typically 50 meters. | **Not Present** Habitat for this species does not exist on the project site. |
| *Calasellus californicus* An isopod | -- / CNDDB / -- | Found in freshwater habitats; the known collections are from a freshwater well and two springs. Has been collection from one locality each in Lake, Napa, and Santa Clara Counties. No life history information has been posted for this species. | **Not Present** Habitat for this species does not exist on the project site. |
| *Euphydryas editha bayensis* Bay checkerspot butterfly | FT / -- / -- | Restricted to native grasslands on outcrops of serpentine soil in the vicinity of the San Francisco Bay. *Plantago erecta* is the primary host plant; *Orthocarpus densiflorus* and *O. purpurascens* are secondary host plants. | **Not Present** Habitat for this species does not exist on the project site. |
| *Lepidurus packardi* Vernal pool tadpole shrimp | FE / -- / -- | Endemic to vernal pools in grasslands of the Central Valley, Central Coast mountains, and South Coast mountains. | **Not Present** Habitat for this species does not exist on the project site. |
| *Microcina homi* Hom's micro-blind harvestman | -- / CNDDB / -- | Occur in dry, nutrient-poor, serpentine soil grasslands of the greater San Francisco Bay area and adjacent foothills and valleys | **Not Present** Habitat for this species does not exist on the project site. |
| *Trimerotropis infantillis* Zayante band-winged grasshopper | FE / -- / -- | Open sandy areas with sparse, low annual and perennial herbs on high ridges with sparse ponderosa pine. Often occurs with Ben Lomond wallflower. Restricted to sand parkland habitat found on ridges and hills within the Zayante sandhills habitat in Santa Cruz County. Flight season extends from late May through August. | **Not Present** Habitat for this species does not exist on the project site. |
| **PLANTS** | | | |
| | | | |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Arctostaphylos andersonii* Anderson's manzanita | -- / -- / 1B | Openings and edges of broadleaved upland forest, chaparral, and north coast coniferous forest at elevations of 60-760 meters. Evergreen shrub in the Ericaceae family; blooms November-May. | **Not Present** Large perennial not observed during site visit. |
| *Arctostaphylos silvicola* Bonny Doon manzanita | -- / -- / 1B | Chaparral, closed-cone coniferous forest, and lower montane coniferous forest on inland marine sands at elevations of 120-600 meters. Evergreen shrub in the Ericaceae family; blooms February-March. | **Not Present** Large perennial not observed during site visit. |
| *Astragalus tener* var. *tener* Alkali milk-vetch | -- / -- / 1B | Playas, valley and foothill grassland on adobe clay, and vernal pools on alkaline soils at elevations of 1-60 meters. Annual herb in the Fabaceae family; blooms March-June. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Atriplex depressa* Brittlescale | -- / -- / 1B | Chenopod scrub, meadows, playas, valley and foothill grassland, vernal pools. Usually in alkali scalds or clay in meadows or annual grassland; rarely associated w/riparian, marshes, or vernal pools. Elevation range of 1-320 meters. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Atriplex joaquiniana* San Joaquin spearscale | -- / -- / 1B | Meadows and seeps, playas, chenopod scrub, and valley and foothill grassland on alkaline soils at elevations of 1-835 meters. Annual herb in the Chenopodiaceae family; blooms April-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Atriplex minuscula* Lesser saltscale | -- / -- / 1B | Chenopod scrub, playas, valley and foothill grassland. In alkali sink and grassland in sandy, alkaline soils. Elevation range of 20-100 meters. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Balsamorhiza macrolepis* var. *marcolepis* Big-scale balsamroot | -- / -- / 1B | Chaparral, cismontane woodland, and valley and foothill grassland, sometimes on serpentinite soils, at elevations of 90-1555 meters. Perennial herb in the Asteraceae family; blooms March-June. | **Unlikely** Habitat for this species does not exist on the project site. |
| *California macrophylla* Round-leaved filaree | -- / -- / 1B | Cismontane woodland and valley and foothill grassland on clay soils at elevations of 15-1200 meters. Annual herb in the Geraniaceae family; blooms March-May. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Calyptridium parryi* var. *hesseae* Santa Cruz Mountains pussypaws | -- / -- / 1B | Sandy or gravelly openings of chaparral and cismontane woodlands at elevations of 305-1530 meters. Annual herb in the Montiaceae family; blooms May-August. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Campanula exigua* Chaparral harebell | -- / -- / 1B | Chaparral on rocky, usually serpentinite soils at elevations of 275-1250 meters. Annual herb in the Campanulaceae family; blooms May-June. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Centromadia parryi* ssp. *congdonii* Congdon's tarplant | -- / -- / 1B | Valley and foothill grassland on alkaline soils at elevations of 0-230 meters. Annual herb in the Asteraceae family; blooms May-November. | **Unlikely** Habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Chorizanthe robusta* var. *robusta* Robust spineflower | FE / -- / 1B | Openings in cismontane woodland, coastal dunes, maritime chaparral, and coastal scrub on sandy or gravelly soils at elevations of 3-300 meters. Annual herb in the Polygonaceae family; blooms April-September. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Cirsium fontinale* var. *campylon* Mount Hamilton fountain thistle | -- / -- / 1B | Chaparral, cismontane woodland, and valley and foothill grassland on serpentinite seeps, at elevations of 100-890 meters. Perennial herb in the Asteraceae family; blooms February-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Chloropyron maritimum* ssp. *palustre* Point Reyes bird's-beak | -- / -- / 1B | Coastal salt marshes and swamps at elevations of 0-10 meters. Annual hemi-parasitic herb in the Orobanchaceae family; blooms June-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Clarkia concinna* ssp. *automixa* Santa Clara red ribbons | -- / -- / 4 | Chaparral and cismontane woodlands at elevations of 90-1500 meters. Annual herb in the Onagraceae family; blooms April-July. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Collinsia multicolor* San Francisco collinsia | -- / -- / 1B | Closed-cone coniferous forest and coastal scrub, sometimes on serpentinite soils, at elevations of 30-250 meters. Annual herb in the Plantaginaceae family; blooms March-May. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Dirca occidentalis* Western leatherwood | -- / -- / 1B | Mesic areas of broadleaved upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, North Coast coniferous forest, riparian forest, and riparian woodland at elevations of 50-395 meters. Perennial shrub in the Thymelaeaceae family; blooms January-April. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Dudleya abramsii* ssp. *setchellii* Santa Clara Valley dudleya | FE / -- / 1B | Cismontane woodland and valley and foothill grasslands on rocky serpentinite soils, at elevations of 60-455 meters. Perennial herb in the Crassulaceae family; blooms April-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Eriogonum nudum* var. *decurrens* Ben Lomond buckwheat | -- / -- / 1B | Chaparral, cismontane woodland, and lower montane coniferous forest (maritime ponderosa pine sandhills) on sandy soils, at elevations of 50-800 meters. Perennial herb in the Polygonaceae family; blooms June-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Eryngium aristulatum var. hooveri* | -- / -- / 1B | Alkaline depressions, vernal pools, roadside ditches and other wet places near the coast. Elevation range from 3-45 meters. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Erysimum teretifolium* Santa Cruz wallflower | FE / SE / 1B | Chaparral and lower montane coniferous forest on inland marine sands, at elevations of 120-610 meters. Perennial herb in the Brassicaceae family; blooms March-July. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Fritillaria liliacea* Fragrant fritillaria | -- / -- / 1B | Cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland, often serpentinite, at elevations of 3-410 meters. Bulbiferous perennial herb in the Liliaceae family; blooms February-April. | **Unlikely** Habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Hoita strobilina* Loma Prieta hoita | -- / -- / 1B | Mesic areas of chaparral, cismontane woodland, and riparian woodland, usually on serpentinite soils, at elevations of 30-860 meters. Perennial herb in the Fabaceae family; blooms May-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Lasthenia conjugens* Contra Costa goldfields | FE / -- / 1B | Mesic areas of valley and foothill grassland, alkaline playas, cismontane woodland, and vernal pools at elevations of 0-470 meters. Annual herb in the Asteraceae family; blooms March-June. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Lessingia micradenia* var. *glabrata* Smooth lessingia | -- / -- / 1B | Chaparral and cismontane woodlands on serpentinite soils (often on roadsides) at elevations of 120-420 meters. Annual herb in the Asteraceae family; blooms July-November. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Malacothamnus aboriginum* Indian Valley bush-mallow | -- / -- / 1B | Chaparral and cismontane woodland on rocky or granitic soils, often in burned areas, at elevations of 150-1700. Deciduous shrub in the Malvaceae family; blooms April-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Malacothamnus arcuatus* Arcuate bush-mallow | -- / -- / 1B | Chaparral and cismontane woodland at elevations of 15-355 meters. Perennial evergreen shrub in the Malvaceae family; blooms April-September. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Malacothamnus hallii* Hall's bush mallow | -- / -- / 1B | Chaparral; and coastal scrub at elevations of 10-760 meters. Perennial evergreen shrub in the Malvaceae family; blooms May-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Monolopia gracilens* Woodland wollythreads | -- / -- / 1B | Openings of broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland on serpentinite soils at elevations of 100-1200 meters. Annual herb in the Asteraceae family; blooms: February-July. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Navarretia prostrata* Prostrate vernal pool navarretia | -- / -- / 1B | Meadows, seeps, vernal pools, and mesic areas of coastal scrub and valley and foothill grassland at elevations of 15-2110 meters. Annual herb in the Polemoniaceae family; blooms April-July. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Penstemon rattanii* var. *kleei* Santa Cruz Mountains beardtongue | -- / -- / 1B | Chaparral and lower montane and North Coast coniferous forests at elevations of 400-1100 meters. Perennial herb in the Plantaginaceae family; blooms May-June. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Pentachaeta bellidiflora* White-rayed pentachaeta | FE / SE / 1B | Cismontane woodland and valley and foothill grasslands, often on serpentinite soils, at elevations of 35-620 meters. Annual herb in the Asteraceae family; blooms March-May. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Piperia candida* White-flowered rein orchid | -- / -- / 1B | Broadleaved upland forest, lower montane coniferous forest, and North Coast coniferous forest, sometimes on serpentinite soils, at elevations of 30-1310 meters. Perennial herb in the Orchidaceae family; blooms May-September. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Plagiobothrys glaber* Hairless popcorn-flower | -- / -- / 1A | Alkaline meadows and seeps, and coastal salt marches and swamps at elevations of 15-180 meters. Annual herb in the Boraginaceae family; blooms March-May. | **Unlikely** Habitat for this species does not exist on the project site. |

| Species | Status (USFWS/ CDFG/CNPS) | General Habitat | Potential Occurrence within Project Vicinity |
|---|---|---|---|
| *Sidalcea malachroides* Maple-leaved checkerbloom | -- / -- / List 4 | Broadleaved upland forest, coastal prairie, coastal scrub, North Coast coniferous forest, and riparian woodlands, often in disturbed areas, at elevations of 2-730 meters. Perennial herb in the Malvaceae family; blooms March-August. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Streptanthus albidus ssp. albidus* Metcalf Canyon jewel-flower | FE / -- / 1B | Valley and foothill grassland on serpentinite soils at elevations of 45-800 meters. Annual herb in the Brassicaceae family; blooms April-July. | **Unlikely** Habitat for this species does not exist on the project site. Serpentinite soils do not exist on the project site. |
| *Streptanthus albidus ssp. peramoenus* Most beautiful jewel-flower | -- / -- / 1B | Chaparral, cismontane woodlands, and valley and foothill grasslands on serpentinite soils at elevations of 94-1000 meters. Annual herb in the Brassicaceae family; blooms March-October. | **Unlikely** Habitat for this species does not exist on the project site. Serpentinite soils do not exist on the project site. |
| *Suaeda californica* Californian seablite | FE / -- / 1B | Coastal salt marshes and swamps at elevations of 0-15 meters. Perennial evergreen shrub in the Chenopodiaceae family; blooms July-October. | **Unlikely** Habitat for this species does not exist on the project site. |
| *Trifolium hydrophilum* Saline clover | -- / -- / 1B | Marshes and swamps, mesic and alkaline valley and foothill grassland, and vernal pools at elevations of 0-300 meters. Annual herb in the Fabaceae family; blooms April-June. | **Unlikely** Habitat for this species does not exist on the project site. |

**STATUS DEFINITIONS**

**Federal**

FE = listed as Endangered under the federal Endangered Species Act
FT = listed as Threatened under the federal Endangered Species Act
FC = Candidate for listing under the federal Endangered Species Act
-- = no listing

**State**

SE = listed as Endangered under the California Endangered Species Act
ST = listed as Threatened under the California Endangered Species Act
SR = listed as Rare under the California Endangered Species Act
SC = Candidate for listing under the California Endangered Species Act
CSC = California Department of Fish and Wildlife Species of Concern
CFP = California Fully Protected Animal
WL = California Department of Fish and Wildlife Watch List
-- = no listing

**California Native Plant Society**

1A = List 1A species; presumed extinct in California.
1B = List 1B species; rare, threatened or endangered in CA & elsewhere
2 = List 2 species; rare, threatened or endangered in California, but more common elsewhere
4 = List 4 species; limited distribution (CNPS Watch List)
-- = no listing

**POTENTIAL TO OCCUR**

Present = known occurrence of species within the site; presence of suitable habitat conditions; or observed during field surveys
High = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of suitable habitat conditions
Moderate = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of marginal habitat conditions within the site
Low = species known to occur in the vicinity from the CNDDB or other documentation; lack of suitable habitat or poor quality
Unlikely = species not known to occur in the vicinity from the CNDDB or other documentation, no suitable habitat is present within the site
Not Present = species was not observed during surveys, suitable habitat does not exist.