

**EL CAMINO REAL SPECIFIC PLAN PROJECT
SIGNIFICANT ENVIRONMENTAL IMPACTS
FACTS AND FINDINGS**

Air Quality

Impact: **Impact AIR-2:** The combination of dust from construction activities and diesel exhaust from operation of construction equipment and related traffic for future projects under the Specific Plan could exceed the project-level thresholds.

Mitigation: **MM AIR-2.1:** All future development projects under the Specific Plan shall implement the following Bay Area Air Quality Management District (BAAQMD)-recommended best management practices:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
3. 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;
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph);
5. 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;
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;
7. 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;
8. Post a publicly visible sign with the telephone number and person to contact at the City 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;
9. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g. compressors).

MM AIR-2.2: All future development projects under the Specific Plan shall complete construction air quality assessments for construction criteria pollutants and toxic air contaminants (TACs). If construction BAAQMD thresholds are exceeded, future projects shall implement measures to reduce emissions below the thresholds. Emission reduction measures shall include, but not be limited to, the following measures:

1. Construction equipment selection for low emissions;
2. Use of alternative fuels, engine retrofits, and added exhaust devices;
3. Low-VOC paints;
4. Modify construction schedule; and
5. Implementation of BAAQMD Basic and/or additional Construction Mitigation Measures for control of fugitive dust.

MM AIR-2.3: Operational criteria pollutant analysis shall be conducted in accordance with the latest guidance provided by BAAQMD for projects with the potential to exceed project emission thresholds. The BAAQMD CEQA Air Quality Guidelines provide project screening level sizes to determine if projects warrant modeling to evaluate their emissions. Projects smaller than the screening sizes listed in Table 3-1 of the BAAQMD CEQA Air Quality Guidelines would be considered to have less than significant operational air pollutant emissions. Projects that are found to have emissions above significance thresholds would be required to implement additional mitigation measures, including, but not limited to, the measures described below:

1. Proposed residential development within the El Camino Real Specific Plan shall implement transportation demand management (TDM) programs to reduce residential vehicle miles traveled (VMT) as required by the City's Climate Action Plan. The TDM programs would be reviewed and approved by the Community Development Director prior to issuance of building permits. An annual TDM monitoring report shall be submitted to the Community Development Director to document each development is meeting the required TDM program reductions.
2. Proposed development within the Specific Plan shall incorporate additional green building measures such as rooftop solar photovoltaic systems, rough-ins for electric vehicle charging, use of efficient lighting and irrigation, and recycle water, as feasible, to the satisfaction of the Community Development Director.
3. Developed parcels shall require within their Covenants, Conditions & Restrictions (CC&Rs) and/or ground leases requirements for all future interior spaces to be repainted only with architectural coatings that meet the "Low-VOC" or "Super-Compliant" requirements.

Finding: With implementation of Mitigation Measures MM AIR-2.1 through MM AIR-2.3, dust from construction activities and diesel exhaust from the operation of construction equipment and related traffic for future projects under the Specific Plan would be reduced to less than significant levels. Operational impacts from criteria pollutant emissions would also be reduced to less than significant levels through

conformance with BAAQMD Clean Air Plan measures. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: As discussed in Section 3.3.2.2 of the DEIR, the implementation of Mitigation Measures MM AIR-2.1 through 2.3, would reduce construction period ROG, NO_x, PM₁₀, and PM_{2.5} emissions to levels below the thresholds of significance established by BAAQMD. There are project-level thresholds of 54 pounds per day for NO_x, ROG and PM_{2.5} exhaust and 82 pounds per day for PM₁₀ exhaust, and projects above the minimum screening size would be required to conduct additional analysis and, potentially, additional mitigation. The mitigation measures would reduce emissions on a project-level basis. On a plan level, the BAAQMD CEQA Air Quality Guidelines do not identify quantified thresholds for construction emissions.

Construction exhaust emissions include those from equipment (i.e., off-road) and traffic (on-road vehicles and trucks). Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x, PM₁₀ and PM_{2.5} emissions. Architectural coatings and application of asphalt pavement are dominant sources of ROG emissions. Unless controlled, the combination of temporary dust from activities and diesel exhaust from construction equipment and related traffic may pose a nuisance impact to nearby receptors or exceed acceptable levels for projects. In addition, NO_x emissions during grading and soil import/export for large projects may exceed the BAAQMD NO_x emission thresholds for projects.

Site-specific construction schedules and equipment are not known at this time for the future development area and have not been quantified at the project level. Implementation of Mitigation Measure MM AIR-2.1 would ensure that all construction projects employ the proper BAAQMD-recommended measures to control PM emissions, and Mitigation Measure MM AIR-2.2 would ensure that construction of future development areas would be analyzed through project-level review to quantify construction criteria pollutant emissions and identify the specific measures needed to reduce potential impacts, as necessary. Therefore, implementation of Mitigation Measures MM AIR-2.1 and MM AIR-2.2 would reduce the potential impact from construction of individual construction projects within the future development in the ECR Specific Plan area to a less than significant level.

The ECR Specific Plan would result in operational impacts from future development such as long-term area and mobile source emissions from the operation of future development projects. As described in Section 3.17.2.4 of the DEIR, however, implementation of the ECR Specific Plan would contribute to a decrease in VMT associated with the ECR Specific Plan area. The ECR Specific Plan would include implementing policies and measures that are generally consistent with the applicable Clean Air Plan control measures, such as implementation of TDM programs to reduce vehicle trips, resulting

in fewer operational criteria pollutant emissions. Implementation of MM AIR-2.3, which requires that projects having emissions above the significance thresholds be required to implement such measures, would reduce impacts to less than significant levels.

Impact: **Impact AIR-3:** Existing and future sensitive receptors could be exposed to construction TACs during construction. The combination of dust from construction activities and diesel exhaust from operation of construction equipment and related traffic for future projects under the Specific Plan could exceed the project-level thresholds.

Mitigation: Refer to MM AIR-2.1 above.

Biology

Impact: **Impact BIO-1:** Construction activities associated with future development within the project area could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.

Mitigation: **MM BIO-1.1:** Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February through August.

MM BIO-1.2: If it is not possible to schedule demolition and construction between September and January, preconstruction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests would be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist would inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife (CDFW), would determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests would not be disturbed during project construction.

Finding: Implementation of the identified mitigation measures would reduce construction impacts to migratory birds to a less than significant level. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: Implementation of Mitigation Measures MM BIO-1.1 and MM BIO-1.2 would reduce construction impacts to nesting birds to a less than significant level by either avoiding construction activities during the nesting season or conducting preconstruction surveys during the nesting season that would provide the basis for establishing construction-free buffer zones for any active nests that are found to

protect the nests from disturbance caused by construction activities. Mitigation Measure MM BIO-1.2 specifically requires that a qualified biologist conduct such surveys and make recommendations in consultation with the CDFW, ensuring that potential impacts would be fully mitigated.

Impact: **Impact BIO-5:** Tree removal from redevelopment of individual parcels under the Specific Plan would result in a significant impact to mature trees.

Mitigation: **MM BIO-5.1:** Projects proposing or required to retain trees on-site shall implement precautionary measures during site construction to limit adverse environmental effects on ordinance-protected trees that are to be retained. A tree protection plan shall be prepared by a qualified arborist that, at a minimum, requires installation of an open material (e.g., chain link) fence six feet in height around the drip line and maintenance of the existing grade level around a tree and out to its drip line.

MM BIO-5.2: Project proponents under the Specific Plan will comply with the City Code and submit permit applications for removal of all trees covered by the City's tree ordinance. Any street trees or heritage trees to be removed would require replacement on-site or off-site at a minimum 2:1 ratio per General Plan Policy 5.3.1-P10. To the extent feasible, the replacement trees will be planted on-site and the project proponent will comply with all other tree removal requirements imposed by the City.

Finding: With the implementation of Mitigation Measures MM BIO-5.1 and MM BIO-5.2, impacts to mature trees would be reduced to a less than significant level. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measures MM BIO-5.1 and MM BIO-5.2 would provide protection measures for existing on-site trees to be retained during construction activities, and would require City review of proposals to remove existing street trees or heritage trees from development sites and provide replacement trees in conformance with the applicable General Plan policy and City Code requirements. Implementation of these measures would, therefore, help preserve existing mature trees as well as mitigate the loss of mature trees by ensuring their replacement.

Cultural Resources

Impact: **Impact CUL-2:** Redevelopment of the Specific Plan area could result in impacts to unknown buried archaeological resources and human remains.

Mitigation: **MM CUL-2.1:** Prior to the issuance of any grading permit in the vicinity of Saratoga Creek well as the eastern end of the project area (to the east of Pierce Street and South of El Camino Real), a geoarchaeological buried sensitivity assessment and a project-specific Archaeological Monitoring Plan shall be developed, to the satisfaction of the Community Development

Director, and implemented to guide the project should any significant archaeological deposits be uncovered during construction. The Archaeological Monitoring Plan shall provide detailed guidance for how impact areas should be methodically excavated under the direct supervision of a qualified archaeologist. A qualified archaeologist and a representative from the local Native American community shall monitor all initial ground-disturbing activities associated with these two areas of potential sensitivity.

MM CUL-2.2: For all proposed development sites within the Specific Plan area, a qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, roadway improvements, potholing for utilities, utility removal, and addressing storm drain issues. After demolition activities and surface improvements are removed for projects involving excavation, and prior to other construction activities, mechanical presence/absence exploration will be completed to a depth ranging from 6.5 to 10 feet below the ground surface. Presence/absence efforts shall be conducted by a qualified local archaeologist. If any cultural resources are identified, all activity in the vicinity of such resources shall stop until a research design and treatment plan is prepared to address those types of resources encountered and such plan is approved by the City. Any cultural resources identified shall be evaluated to determine if these resources would qualify for the National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR). If no resources are found during presence/absence testing, the implementation of Mitigation Measures, MM CUL-[2].3 and MM CUL-[2].4, would ensure any resources discovered during construction are adequately protected.

MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological resource is not feasible, data recovery, in accord with a data recovery plan prepared and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.

MM CUL-2.4: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Finding: Implementation of the above mitigation measures would avoid and/or reduce significant impacts to unknown buried archaeological resources to a less than significant level by monitoring for resources during demolition activities, completing presence/absence exploration, and following procedures to protect resources (if found). **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measures MM CUL-2.1 and MM CUL-2.2 would require direct participation by qualified archaeologists and representatives of the local Native American community prior to and during any grading or excavation activities in order to establish monitoring protocols, provide guidance in the field, and allow for the proper evaluation and treatment of cultural resources discovered. Mitigation Measures MM CUL-2.3 and MM CUL-2.4 require the stoppage of work if buried or previously unrecognized archeological deposits are exposed during construction activities, and the intervention of a qualified archaeologist to determine the appropriate course of action before resuming construction activities. The involvement of the Santa Clara County Coroner and the NAHC in the case of discovery of human remains would ensure that proper burial procedures would be followed.

Impact: The project would not result in a cumulatively considerable contribution to a significant cultural resources impact.

Mitigation: See MM CUL-2.1 through MM CUL-2.4, above. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

Finding: The project's contribution to cumulative cultural resources impacts would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The geographic area for cumulative impacts to cultural resources for the Specific Plan is the immediate area. The cumulative projects are all subject to CEQA and are required to comply with the federal, state, and local regulations put in place to protect cultural resources (refer to Section 3.5.1.1, *Regulatory Framework*). For this reason, the cumulative projects (including the proposed Specific Plan with the implementation of the mitigation measures identified above and in conformance with applicable General Plan policies) would not result in a significant impact to cultural resources.

Geology and Soils

Impact: **Impact GEO-6:** Development proposed under the Specific Plan has the potential to disturb paleontological resources if projects include deep excavations.

Mitigation: **MM GEO-6:** Projects requiring excavation 25 feet or more below ground surface would require monitoring by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified

paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

Finding: With implementation of the mitigation measure described above, future development under the Specific Plan would result in a less than significant impact on paleontological resources. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measure MM GEO-6 would ensure that any excavation on future development sites deeper than 25 feet, which is the minimum depth at which paleontological resources are likely to be found, would require monitoring by a qualified paleontologist and appropriate disposition of any resources found. Therefore, impacts to such resources would be avoided.

Hazards and Hazardous Materials

Impact: **Impact HAZ-1:** Existing hazardous materials contamination in soils and groundwater on the site has the potential to impact construction workers and adjacent land uses if disturbed during demolition or construction of new buildings and structures on the site.

Mitigation: **MM HAZ-1.1:** Prior to the start of any demolition or construction activity, a property-specific Phase I Environmental Site Assessment (ESA) shall be completed in accordance with ASTM Standard Designation E 1527-13 (or most recent version) to identify Recognized Environmental Conditions (RECs), evaluate the property history, and establish whether or not the property is likely to have been impacted by chemical releases. Soil, soil vapor, and/or groundwater quality studies (Phase II ESAs) shall subsequently be conducted, if warranted, based on the findings of the property-specific Phase I ESAs, to evaluate if mitigation measures are needed to protect the health and safety of site occupants.

At parcels with an agricultural history, soil sampling and laboratory analyses shall be conducted to evaluate if agricultural chemicals are present prior to redevelopment or earthwork activities. Because pesticides were often stored within structures such as barns or sheds, and pesticide mixing was often performed near agricultural wells on such parcels, the sampling shall include an evaluation of these areas (if they can be identified), along with the former agricultural field and orchard areas.

All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the Santa Clara County Department of Environmental Health (SCCDEH), Department of Toxic Substances Control (DTSC), or Regional Water Quality Control Board (RWQCB). Any required cleanup/mitigation of the site during development activities shall meet all applicable federal, state, and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's

written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

MM HAZ-1.2: Prior to the start of earthwork activities (e.g., excavation, trenching, grading, etc.) on properties with known contaminants of concern (COC) exceeding the lower of the then current DTSC, RWQCB, or EPA regulatory levels and/or appropriate residential/commercial screening levels, including sites having either open or closed leaking underground storage tank (LUST) or cleanup program site (CPS) cases, an appropriate corrective action/risk management plan shall be prepared that reflects the results of the on-site investigations. The corrective action/risk management plan shall describe mitigation measures necessary to protect the health and safety of future site occupants and establish appropriate management practices for handling and monitoring of impacted soil, soil vapor, and groundwater that may be encountered during construction activities. The corrective action/risk management plan shall be prepared by an Environmental Professional and be submitted to an appropriate overseeing regulatory agency (e.g., SCCDEH, DTSC, or RWQCB) for review. Regulatory agency approval shall be obtained prior to commencing earthwork activities. A Health and Safety Plan shall also be prepared to establish health and safety protocols for personnel working at the site.

All mitigation measures shall be completed under regulatory agency oversight and meet all applicable federal, state, and local laws, regulations, and requirements. Following completion, a report documenting compliance with the provisions of the corrective action/risk management plan and describing the work completed shall be submitted and approved by the overseeing regulatory agency.

MM HAZ-1.3: As part of the facility closure process for occupants that use and/or store hazardous materials, the Santa Clara Fire Department requires that a closure plan be submitted by the occupants that describes required closure activities, such as removal of remaining hazardous materials, cleaning of hazardous material handling equipment, decontamination of building surfaces, and waste disposal practices, among others. Facility closure shall be coordinated with the Santa Clara Fire Department to ensure that required closure documents are completed prior to redevelopment of site parcels or changes in use.

MM HAZ-1.4: If a project requires importing soil for property grading, the source and quality of imported soil shall be documented according to the DTSC's Clean Fill Advisory (October 2001).

MM HAZ-1.5: Groundwater monitoring wells associated with identified LUST and CPS cases shall be protected during construction. Upon written approval from the overseeing regulatory agency and the well owner, wells may be destroyed under permit from the Santa Clara Valley Water District (Valley Water) prior to development activities. Relocation of the wells may be required.

Monitoring wells that are no longer in use, or any unidentified wells (such as former agricultural wells) encountered during construction activities, shall be properly destroyed in accordance with Valley Water Ordinance 90-1.

Prior to redevelopment of the site, well records from the California Department of Water Resources (DWR) shall be researched, and attempts shall be made to locate and properly destroy any identified abandoned on-site wells.

Any proposed well closure or destruction activities on a redevelopment site shall be completed, and any proposed well protection measures shall be approved by the Director of Public Works prior to the issuance of a grading permit. A well destruction report shall be submitted to the Santa Clara Fire Department as proof of completion of any well closure.

All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the DEH, DTSC, or RWQCB. Any required cleanup/remediation of the site during development activities shall meet all applicable federal, state and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

Finding: Implementation of the above mitigation measures would ensure that development under the Specific Plan would not exacerbate existing hazardous materials contamination that may be present in the Plan area, and would reduce impacts related to such contamination to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Soil and groundwater contamination conditions on future development sites within the Specific Plan area would be addressed through the implementation of Mitigation Measures MM HAZ-1.1, MM HAZ-1.2 and MM HAZ-1.4, which would result in comprehensive site investigations for the presence of hazardous materials and identification of RECs in conformance with state and local regulatory agency requirements. Mitigation Measure MM HAZ-1.3 would reduce contamination risks and potential impacts to surrounding properties and residents by requiring the preparation of closure plans for sites using or storing hazardous materials, in conformance with SCFD requirements. Implementation of Mitigation Measure MM HAZ-1.5 would ensure the protection of groundwater monitoring wells on identified contamination sites during construction, as well as the proper closure and destruction of abandoned wells in conformance with state and local agency regulations, thereby minimizing the risk of groundwater contamination.

Noise and Vibration

Impact: **Impact NOI-1:** Land uses in the project vicinity would be exposed to a substantial temporary increase in ambient noise levels due to project construction activities.

Mitigation: **MM NOI-1.1:** Develop and adhere to a construction noise control plan to be submitted to the City for review and approval prior to issuance of a demolition and/or grading permit, including, but not limited to, the following available controls.

- Ensure that construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays.
- Ensure that excavating, grading and filling activities (including warming of equipment motors) within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays.
- Contractors equip all internal combustion engine driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- Contractors utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- Locate loading, staging areas, stationary noise generating equipment, etc. as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. Construct temporary noise barriers to screen stationary noise generating equipment when located near adjoining sensitive land uses.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project area.
- Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.
- Construct solid plywood fences around construction sites adjacent to operational business, residences or noise-sensitive land uses.
- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.
- Businesses, residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a “construction liaison” that will be responsible for responding to any local complaints about construction noise. The liaison will determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site.
- Include a disclosure in the lease of future tenants within the El Camino Real Specific Plan properties that provides information regarding the on-going construction activities within the area.

MM NOI-1.2: If pile driving occurs, the following best management practices shall be included in the construction noise control plan.

- During pile driving, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

- During pile driving activities, install “acoustical blankets” to provide shielding for receptors located within 100 feet of the site, or use a noise attenuating shroud on the pile driving hammer.

Finding: The implementation of the mitigation above measures would reduce construction noise levels from development sites within the Specific Plan area, minimizing disruption and annoyance to surrounding businesses and residents. With the implementation of these controls, as well as the City Code limits on allowable construction hours, the impact would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Construction impacts such as noise and vibration are considered temporary, due to their short-term duration. Regardless, the controls listed under Mitigation Measure MM NOI-1.1 include the establishment of specific hours for construction activities, restrictions on types of construction equipment used, identification of areas for noise-generating activities on the site, construction of physical barriers, construction traffic control requirements, and establishment of contact information for neighbors and future tenants identifying who to contact regarding excessive noise problems. Implementation of these specific measures will result in a lessening of the nuisance impact from construction noise on surrounding land uses for the duration of the construction period for any given future project. In addition, the measures listed in Mitigation Measure MM NOI-1.2 would reduce potential noise and vibration impacts to surrounding structures.

Impact: **Impact NOI-1.3:** Mechanical equipment from future projects located in close proximity to existing residential land uses could result in noise levels in exceedance of City standards for fixed sources.

Mitigation: **MM NOI-1.3:** Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City’s requirements. A qualified acoustical consultant shall be retained by the applicants for future development projects to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the City’s residential noise limits. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.

Finding: By requiring a review of the mechanical equipment selected for future development projects, as well as its design and location within the project sites, project mechanical equipment would not generate long-term noise levels in exceedance of residential or commercial noise limits. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Impacts of operational noise generated by mechanical equipment in new development projects can be controlled through the design and placement of the equipment used. Implementation of Mitigation Measure MM NOI-1.3 would ensure that the proper equipment and placement that minimizes noise impacts to surrounding properties would be included in the approval of future development project sites by requiring a review of mechanical equipment by a qualified acoustical consultant prior to project approval. **(Less than Significant Impact with Mitigation Incorporated)**

Impact: **Impact NOI-2:** Existing and planned land uses in the project vicinity could be exposed to an increase in ambient vibration levels beyond applicable Caltrans vibration limits due to project construction activities.

Mitigation: **MM NOI-2.1:** Comply with the City Code construction hours requirements to limit the hours of exposure to surrounding properties. The City Code limits construction activities within 300 feet of residentially zoned property to the hours of 7:00 AM to 6:00 PM. on weekdays and between the hours of 9:00 AM. And 6:00 PM on Saturdays. No construction is permitted on Sundays or holidays within 300 feet of occupied residentially zoned property.

MM NOI-2.2: Avoid using vibratory rollers and tampers near sensitive areas, such as shared property lines with residential land uses. Whenever possible, use cast-in drilled holes piles for projects requiring deep foundations to reduce construction vibration.

MM NOI-2.3: When vibration-sensitive structures are within 18 feet of a project development site or within 86 feet of a project proposing pile-driving, survey the condition of existing structures and, when necessary due to the structure type and resulting vibration due to the construction activities proposed, perform site-specific vibration studies to direct construction activities. Contractors shall continue to monitor effects of construction activities on surveyed sensitive structures, notify the Community Development Director of any damage caused by vibration, and repair or compensate for any such damage caused by vibration within a time period established by the Community Development Director upon receiving notice pursuant to this measure. The results of the vibration monitoring shall be summarized and submitted in a report to the Community Development Director prior to issuance of an occupancy permit.

MM NOI-2.4: Construction management plans for construction projects that have the potential to exceed the applicable peak particle velocity (PPV) threshold (0.5 in/sec for post-1990 buildings, 0.3 in/sec for pre-1990 buildings, 0.08 in/sec for structurally weakened buildings), particularly those involving pile driving, shall include predefined vibration reduction measures, notification requirements for properties within 200 feet of scheduled construction activities, and contact information for on-site coordination and complaints. The construction management plan shall be submitted to the City for review and approval prior to issuance of a demolition or grading permit.

MM NOI-2.5: Include a disclosure in the lease of future tenants within the El Camino Real Specific Plan properties that provides information regarding the ongoing construction activities within the area.

Finding: The implementation of the mitigation measures outlined above would reduce vibration impacts to less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The proposed mitigation measures would reduce vibration impacts to surrounding properties by including the establishment of specific hours for construction activities and restrictions on types of equipment used near property lines, requiring identification of areas for vibration-generating activities on the site, requiring site-specific vibration studies and construction management plans, and requiring monitoring of the effects of construction activities on surveyed sensitive structures, with the results being reported to the Community Development Director. These measures provide protection of surrounding structures from the effects of excessive vibration, and also provide for accountability of the construction contractors. In addition, the proposed inclusion of disclosures in the leases of future building tenants providing information on nearby construction activities would further reduce potential noise and vibration impacts to property owners within the Specific Plan area.

Impact: **Impact NOI-C:** The project would not result in a cumulatively considerable contribution to a significant noise impact.

Mitigation: See MM NOI-1.1 through MM NOI-1.3 and MM NOI-2.1 through MM NOI-2.5, above.

Finding: The project's contribution to cumulative noise and vibration impacts would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Construction of future projects under the Specific Plan and cumulative projects in the City of Santa Clara may occur at the same time such that construction-related noise impacts could occur. However, all projects must incorporate noise and vibration reduction measures as identified in the City's General Plan and City Code. Additionally, measures to reduce noise and vibration to acceptable levels would be further refined during project-level analyses of noise and vibration impacts. Operational noise impacts of future projects under the Specific Plan would be below the City's thresholds of significance with implementation of MM NOI-1.3. Construction noise and vibration impacts would be reduced with implementation of MM NOI-1.1 and NOI-1.2 and MM NOI-2.1 through NOI-2.5; thus, the project's contribution to cumulative noise and vibration impacts would be less than significant.

- Impact:** **Impact TCR-1:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- Mitigation:** See MM CUL-1.1, MM CUL-1.3 and MM CUL-1.4, above.
- Finding:** The proposed project would result in less than significant impact to tribal cultural resources (TCRs) which are eligible or potentially eligible for listing in the California Register or in a local register of historical resources. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Mitigation measures to reduce potentially significant impacts to cultural resources would also apply to TCRs. Specifically, mitigation measure MM CUL-1.1 requires an archaeological sensitivity assessment to be completed for redevelopment projects along the Saratoga Creek vicinity and an archaeological monitoring plan to be implemented if archaeological deposits are uncovered during construction in this area. These measures would ensure that the portions of the Plan area with higher archaeological sensitivity are properly studied during future development projects and appropriate avoidance measures are integrated into construction activities. Mitigation measures MM CUL-1.3 and -1.4 prescribe appropriate processes to be followed in the event of accidental discovery of archaeological resources and human remains, respectively, throughout the Specific Plan area. Adherence to these mitigation measures would ensure that any discovered TCRs are preserved in place, studied, or recovered to the maximum extent feasible. If any discovered human remains are determined to be Native American the NAHC would be notified, the most likely descendant would be identified by the NAHC, and the recommendations of the most likely descendant (MLD) would be adhered to in accordance with Section 15064.5(e) of the CEQA Guidelines.

- Impact:** **Impact UTL-1:** The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- Mitigation:** See MM CUL-1.1, MM CUL-1.3, MM CUL-1.4, MM NOI-1.1 through MM NOI-1.3, and MM NOI-2.1 through MM NOI-2.5, above.
- Finding:** The proposed Specific Plan would not result in the relocation or construction of new or expanded water, wastewater, or stormwater drainage facilities, which would cause significant environmental effects. Nor would it cause significant environmental effects due to the construction or relocation of electric power, natural gas, or telecommunications utilities. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The responsibility for implementing future necessary upgrades to water facilities within the Specific Plan area would be determined at

the time of specific development proposals. Individual developments may be required to make fair-share contributions to upgrades to water facilities or incorporate infrastructural improvements as a component of the development. Proposed improvements would be subject to design review by the City's Public Works Department. Implementation of any future improvements would be required to incorporate standard construction best management practices (BMPs) to manage dust, erosion, and stormwater runoff. Similarly, any utility line upgrades would be required to comply with mitigation measures for subsurface cultural resources and noise.

Future infrastructure improvements within the Specific Plan area such as sanitary sewer line upgrades would be subject to design review by the City. Implementation of any future improvements would be required to incorporate standard construction BMPs to manage dust, erosion, and stormwater runoff, and comply with mitigation measures for subsurface cultural resource and noise impacts. Therefore, the proposed Specific Plan would not result in the relocation or construction of new or expanded wastewater facilities which would cause significant environmental effects.

Future development under the Specific Plan would be required to adhere to local, regional and statewide regulations pertaining to the management of stormwater runoff during construction and operation. Individual projects will incorporate appropriately sized stormwater treatment systems to reduce the demand placed on the City's storm drainage system and improve the water quality of runoff. By managing stormwater runoff in accordance with existing regulations, future developments under the Specific Plan would not require the construction of new or upgraded stormwater drainage facilities which could impact the environment.

Construction of additional storm drain infrastructure would be required to adhere to BMPs to manage construction dust, erosion, and stormwater runoff, and comply with mitigation measures for subsurface cultural resource impacts.

The Specific Plan has identified potential utility conflicts due to electrical lines being located at the back of the existing sidewalks throughout the Plan area. This could require electrical lines to be relocated due to proposed streetscape improvements under the Specific Plan. However, the project is located in a highly urbanized area and establishing new or modified connections to these utilities would not require substantial site disturbance. During any relocation of electrical lines, standard construction BMPs would be implemented to manage dust, erosion, and stormwater runoff. The same would apply for any new or modified natural gas and telecommunications lines. Off-site electrical infrastructure for utility power distribution will be required to bring sufficient power to the Specific Plan area.

The electrical infrastructure construction would be subject to standard BMPs.