

## **SECTION 6.0 CUMULATIVE IMPACTS**

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### **6.1 INTRODUCTION**

Cumulative impacts, as defined by CEQA, refer to two or more individual effects, which when combined, are considerable or which compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant projects taking place over a period of time. The CEQA Guidelines state (§15130) that an EIR should discuss cumulative impacts “when the project's incremental effect is cumulatively considerable.” The discussion does not need to be in as great detail as is necessary for project impacts, but is to be “guided by the standards of practicality and reasonableness.” The purpose of the cumulative analysis is to allow decision-makers to better understand the potential impacts which might result from approval of past, present and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence. To accomplish these two objectives, the analysis should include either a list of past, present and probable future projects or a summary of projections from an adopted general plan or similar document. The effects of past projects are generally reflected in the existing conditions described in the specific sections of this EIR. In order to include the effects of previously approved, but not yet constructed developments, the traffic from recently-approved projects is reflected in the Background Conditions described in Section 4.2, *Transportation & Traffic*.

For each subject area, the discussions below address the following aspects of cumulative impacts:

- Would the effects of the CVSP, when combined with the effects of all of the pending development, result in a cumulatively significant impact on the resources in question?
- If a cumulative impact is likely to be significant, would the contribution of the CVSP to that impact be cumulatively considerable?

### **6.2 LIST OF CUMULATIVE PROJECTS**

The proposed actions that must occur to implement the CVSP include amendments to the adopted San José General Plan, both text amendments and changes to the Land Use/Transportation Diagram. Because the project includes amendments to the City's General Plan, the method used to prepare this Cumulative Impact analysis combines elements of both the "list" method and the adopted General Plan method.

The City of San José is currently considering four major projects including the proposed CVSP; the Evergreen • East Hills Vision Strategy (EEHVS), and the Flea Market and iStar projects, which together propose development and/or intensified development on approximately 4,140 acres. Forty-one other General Plan amendments are also proposed that cover approximately 617 acres, for a total of 4,757 acres. Two additional General Plan amendments are also proposed, but they are roadway network changes that would not result in additional development.

The proposed land use amendments would produce a combined net change of approximately 41,000 additional houses and 5,800 added jobs relative to the current adopted City of San José 2020 General Plan. The cumulative projects are summarized in Table 6.0-1, with their locations shown on Figures 6.0-1 - 3.

**TABLE 6.0-1  
CUMULATIVE PROJECTS**

<b>No.</b>	<b>Project Name/Location</b>	<b>Acres</b>	<b>Project Description</b>
1	GP03-02-02/Metcalf Rd. and Hwy 101		Roadway network change
2	GP03-02-05/SR 85, W. of Monterey Rd. (iStar Project)	12.1	Industrial to Mixed Use with no Underlying Designation
	GP03-02-05/SR 85, W. of Monterey Rd. (iStar Project)	66.9	Mixed Use with no Underlying Designation
3	GP05-02-02/Snell Ave., S. of Santa Teresa Blvd.	1.46	Commercial to Residential
4	GP05-02-03/Monterey Rd., NW. of Burnett Ave.	73.1	Agriculture with Coyote Greenbelt Overlay to Public Park/Open Space with Coyote Greenbelt Overlay
5	GP05-02-04/Piercy Rd. and Tennant Ave.	8.33	Non-Urban Hillside to Residential
6	GP05-02-05/Valley Christian Campus, W. of Del Rey Ave.	4.7	Residential (2 DU/AC) to Residential (8-16 DU/AC)
7	GP05-02-06/Monterey Hwy., NW. of Skyway Dr.	4.5	Residential (2 DU/AC) to Residential (8 DU/AC)
8	GP06-02-01/Silver Cr. Valley Rd and Fontanoso Wy.	2.18	Industrial to Combined Industrial
9	GP06-02-02/Piercy Rd. and Silicon Valley Rd.	3.2	Residential (0.2 DU/AC) to Residential (25-50 DU/AC)
10	GP05-03-02/Campbell Ave., NW. of Newhall St.	5.13	Industrial to Residential
11	GP05-03-05/10 <sup>th</sup> St., NW. of Hedding St.	23	Industrial to Residential
12	GP05-03-07/N. King Rd. and Las Plumas Ave.	12.5	Industrial to Residential
	GP05-03-07/N. King Rd. & Las Plumas Av.	0.5	Industrial to Commercial
13	GP05-03-08/Stockton Ave., N. of W. Santa Clara St.	1	Industrial/Commercial to Core Area
	GP05-03-08/Stockton Ave., N. of W. Santa Clara St.	0.7	Commercial to Core Area
14	GP06-03-01/N. King Rd., S. of Mabury Rd.	24.8	Industrial to Residential
15	GP03-04-08/Berryessa Rd., W. of Union Pacific RR Tracks	13.5	Industrial to Residential
16	GP04-04-02/N. 1 <sup>st</sup> St. and Liberty St.	19	Commercial to Residential
17	GP05-04-03/Oakland Rd., N. of Rock Ave.	2.66	Heavy Industrial to Heavy Industrial with Mixed Industrial Overlay
18	GP05-04-08/Oakland Rd., N. of Rock Ave.	16	Industrial to Transit/Employment Residential/Commercial
19	GP05-04-09/Murphy Ave., E. of Oakland Rd.	3.6	Commercial to Residential
	GP05-04-09/Murphy Ave., E. of Oakland Rd.	0.3	Industrial/Commercial to Commercial
20	GP06-04-01/Both sides of Berryessa Rd., W. of Union Pacific RR Tracks	120	Transit Corridor and Industrial/Commercial to Transit Corridor & Industrial/Commercial (different acreages) & roadway network change
21	GP06-04-02/E. Brokaw Rd. and Old Oakland Rd.	6	Industrial to Commercial

**TABLE 6.0-1  
CUMULATIVE PROJECTS**

<b>No.</b>	<b>Project Name/Location</b>	<b>Acres</b>	<b>Project Description</b>
	GP06-04-02/E. Brokaw Rd. and Old Oakland Rd.	21.4	Industrial to Residential
22	GP06-04-03/SR 237 and N. 1 <sup>st</sup> St.	28.2	Industrial to Commercial
23	GP06-04-04/Jackson Ave., S. of Berryessa Rd.	7.72	Commercial to Residential
	GP06-04-04/Jackson Ave., S. of Berryessa Rd.	0.24	Residential (8-16 DU/AC) to Residential (12-25 DU/AC)
	GP06-04-04/Jackson Ave., S. of Berryessa Rd.	7.32	Residential (25-50 DU/AC) to Residential (12-25 DU/AC)
24	GP06-04-05/Berryessa Rd., SW. of N. King Rd.	13.64	Industrial to Residential
25	GP05-05-01/S. King Rd., N. of E. San Antonio St.	0.19	Residential to Mixed Use with no Underlying Designation
	GP05-05-01/S. King Rd., N. of E. San Antonio St.	0.24	Residential to Mixed Use with no Underlying Designation
26	GP05-05-02/McCreery Ave. and Alum Rock Ave.	0.12	Residential to Commercial
	GP05-05-02/McCreery Ave. and Alum Rock Ave.	1.58	General Commercial to Neighborhood/Community Commercial
27	GP05-05-03/Alum Rock Ave., E. of McCreery Ave.	0.6	Commercial to Residential
	GP05-05-03/Alum Rock Ave., E. of McCreery Ave.	3.4	Residential (12-25 DU/AC) to Residential (20+ DU/AC)
28	GP05-06-01/Northrup St. and Race St. and I-280	10.641	Industrial to Residential
29	GP05-06-02/Race St. and Auzerais Ave. and Lincoln Ave.	0.34	Commercial to Residential
	GP05-06-02/Race St. and Auzerais Ave. and Lincoln Ave.	10.524	Industrial to Residential
30	GP05-06-03/Campbell Ave., NW. of O'Brien Ct.	7.08	Industrial to Residential
31	GP05-06-04/Campbell Ave., W. of Newhall St.	2.67	Industrial to Residential
32	GP02-07-03/Tully Rd. and S. 10 <sup>th</sup> St.	13.9	Public to Mixed Use with no Underlying Designation
33	GP05-07-01/Lucretia Ave. and Phelan Ave.	1.8	Residential (8 DU/AC) to Residential (8-15 DU/AC)
34	GP05-07-02/Senter Rd. and Burke St.	1.8	Heavy Industrial to Heavy Industrial with Mixed Industrial Overlay
35	GP06-07-01/Monterey Rd., N. of Curtner Ave.	2.3	Commercial to Residential
	GP06-07-01/Monterey Rd., N. of Curtner Ave.	0.6	Industrial/Commercial to Commercial
36	GP06-07-02/McLaughlin Ave., SE. of Tully Rd.	1.5	Residential (8 DU/AC) to Residential (8-15 DU/AC)
37	GP06-07-03/Umbarger Rd., NE of Monterey Rd.	3.17	Commercial To Residential

**TABLE 6.0-1  
CUMULATIVE PROJECTS**

<b>No.</b>	<b>Project Name/Location</b>	<b>Acres</b>	<b>Project Description</b>
38	GP06-07-04/Senter Rd., S. of Wool Cr. Dr.	3.62	Industrial to Commercial
39	GP06-07-05/Towers Ln., b/t Aborn Rd. and Amberly Ln.	3.5	Industrial to Residential
40a	GP05-08-01A/Quimby Rd., W. of Capitol Epwy. (Arcadia)	81	Residential/Industrial/Commercial/Public to Mixed Use with no Underlying Designation
40b	GP05-08-01B/Tully Rd. and White Rd. (PH Golf Course)	86	Private Recreation to Residential & roadway network change
	GP05-08-01B/Tully Rd. and White Rd. (PH Golf Course)	28	Private Recreation to Residential & roadway network change
40c	GP05-08-01C/Fowler Rd. and Yerba Buena Rd. (Berg/IDS)	93	Industrial to Residential & roadway network change
	GP05-08-01C/Fowler Rd. and Yerba Buena Rd. (Berg/IDS)	82	Industrial to Residential & roadway network change
40d	GP05-08-01D/Yerba Buena Rd., opposite of Verona Rd. (Berg/IDS)	24	Industrial to Residential & roadway network change
40e	GP05-08-01E/Yerba Buena Rd. and Old Yerba Buena Rd. (Legacy)	120	Industrial to Residential & roadway network change
40f	GP05-08-01F/Yerba Buena Rd., E. of San Felipe Rd. (Evergreen College)	27	Public to Mixed Use with no Underlying Designation & roadway network change
41	GP05-08-02/Capitol Epwy. and Tully Rd.	1.2	Industrial to Commercial
42	GP06-08-01/Aborn Rd., W. of Ruby Ave.	1	Public Park/Open Space to Village Center
	GP06-08-01/Aborn Rd., W. of Ruby Ave.	12.91	Public Park/Open Space and Village Center to Residential
43	GP04-09-01/Los Gatos-Almaden Rd. and Warwick Rd.	0.99	Residential (2 DU/AC) to Residential (8-16 DU/AC)
44	GP04-10-01/Bailey Ave., SW of Santa Teresa Blvd.	222	Private Recreation and Non-Urban Hillside to Private Open Space and Non-Urban Hillside
45	GP06-02-04 and GPT06-02-04/Coyote Valley Specific Plan	3,500	Plan for 26,400 dwelling units and 55,000 jobs & roadway network change
<b>TOTAL</b>		<b>4,757</b>	

\*EEHVS properties

Note: Project locations are shown on Figures 6.0-1 and 6.0-2.

Source: City of San José, December 2006.

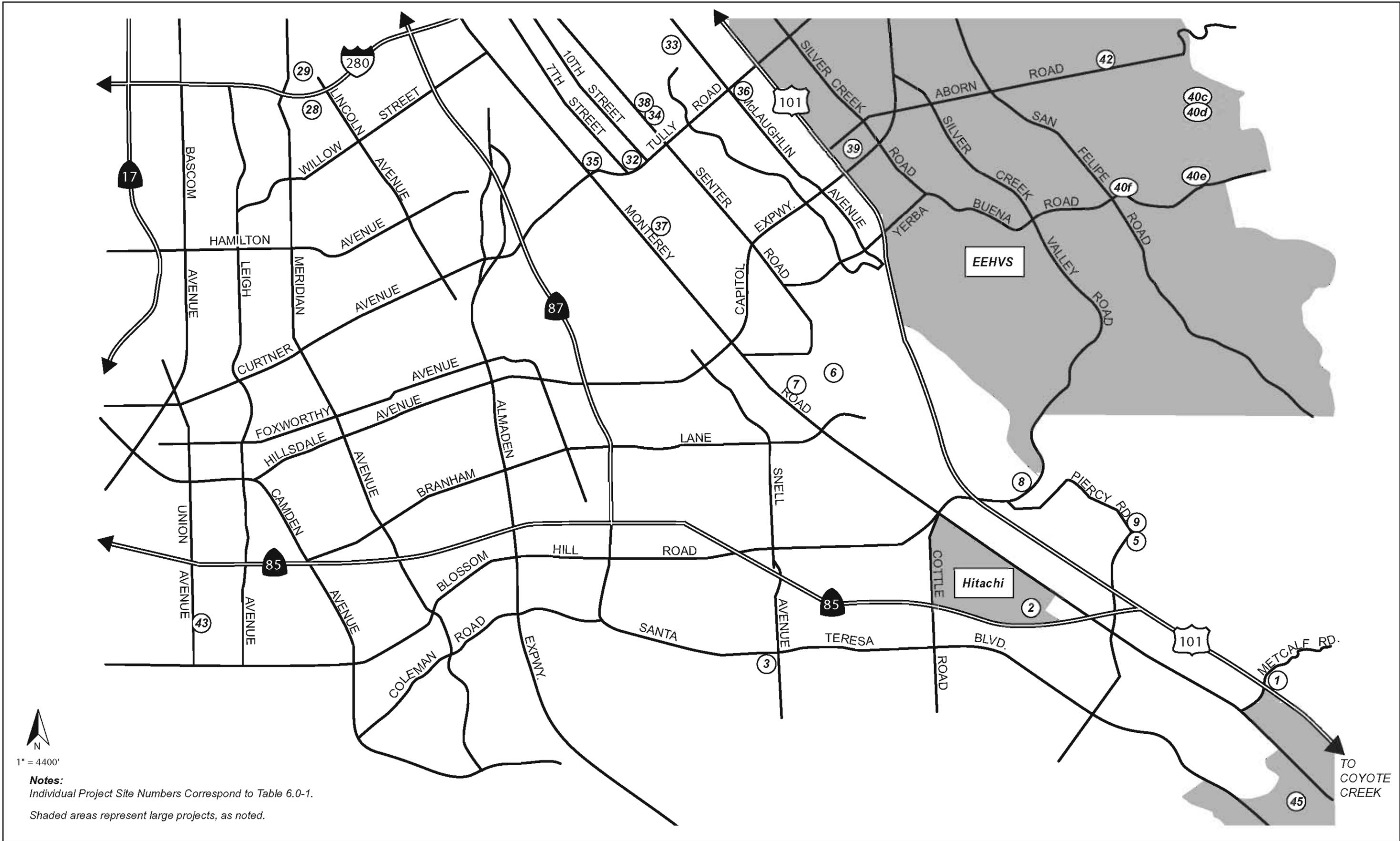
The EEHVS, Flea Market, and iStar projects are described below. The description of these projects is intended to represent a feasible “worst-case” scenario in which these projects contribute toward cumulative environmental impacts. The information included below should not be interpreted to presuppose future public processes, including City Council actions on any of the cumulative projects listed.

It should be noted that Association of Bay Area Governments (ABAG) projections of housing and employment were used to determine future growth projections for jurisdictions other than San José.



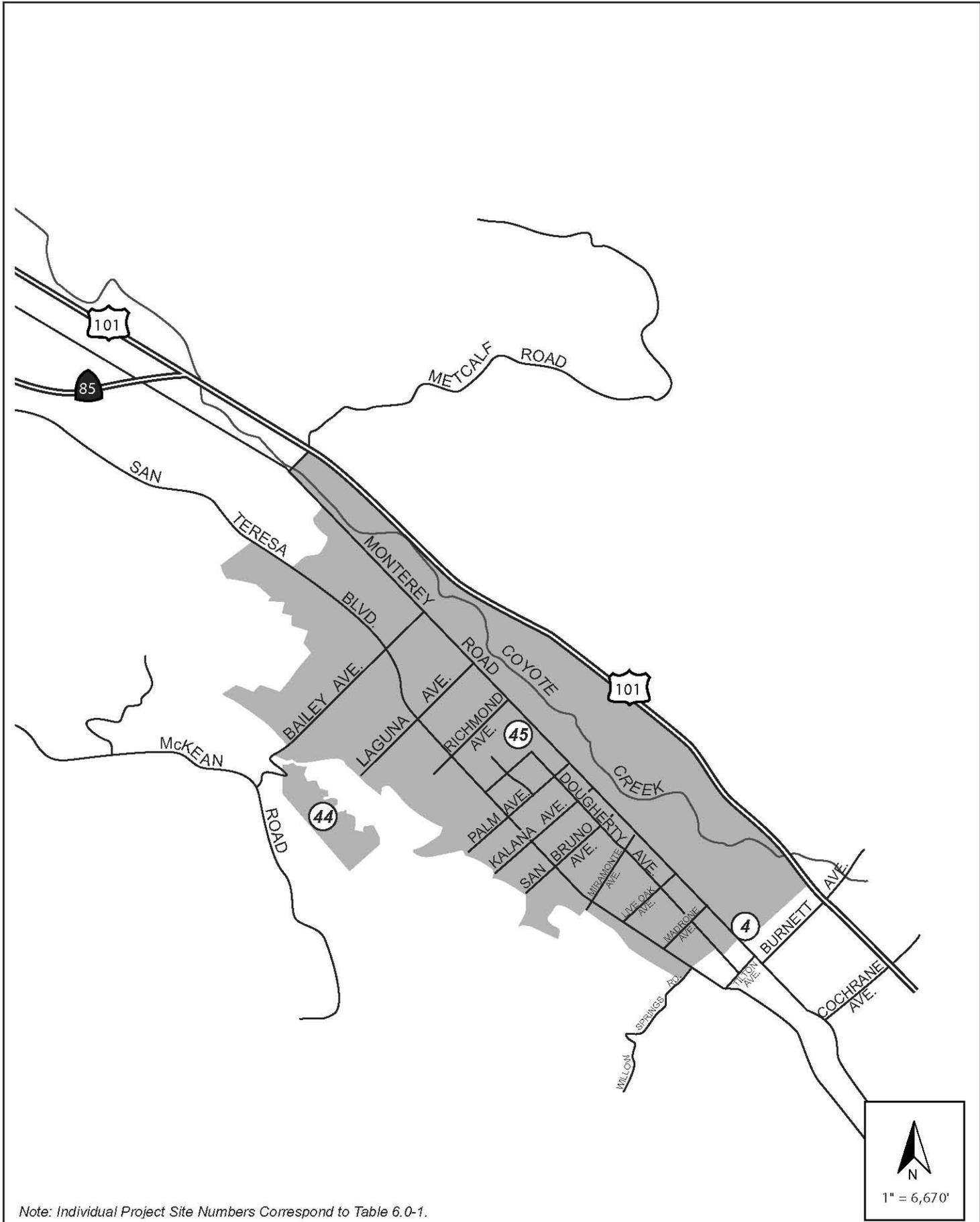
LOCATION OF CUMULATIVE PROJECTS - NORTH SAN JOSE VICINITY

FIGURE 6.0-1



LOCATION OF CUMULATIVE PROJECTS - SOUTH SAN JOSE VICINITY

FIGURE 6.0-2



Note: Individual Project Site Numbers Correspond to Table 6.0-1.

COYOTE VALLEY SPECIFIC PLAN AREA

FIGURE 6.0-3

### 6.2.1 *Evergreen • East Hills Vision Strategy*

The Evergreen • East Hills Vision Strategy (EEHVS) project includes various actions which, when taken together, will fulfill the City’s vision for the Evergreen • East Hills area of San José, such vision embodied in the “expected outcomes” adopted by the San José City Council in June 2005. Proposed actions to be taken as part of the EEHVS include the following:

- Adoption of a revised Evergreen Development Policy (EDP), including design guidelines;
- Construction of various transportation and community amenity projects in the EEHVS area including widening portions of US 101 and White Road, and improvements to Ocala Avenue, Capitol Expressway, 14 signalized and 11 unsignalized intersections, parks, creek trails, libraries, sports and recreational facilities and community centers; and
- Changes in General Plan land use designations and zonings on approximately 542 acres of land in the Evergreen area, as described below.

Including the No Project Alternative, the City is considering six different land use development scenarios for the EDP area. The scenarios are intended to facilitate in-fill development for both large and small projects. The bulk of the proposed development would be on the following five “opportunity sites”, as shown on Figures 6.0-1 and 2:

- 1) Arcadia Property: A vacant 81-acre site located just south of the Eastridge Shopping Center, near the southwest corner of the intersection of Quimby Road and Capitol Expressway.
- 2) Pleasant Hills Golf Course Property: A primarily vacant 114-acre unincorporated site formerly used as a golf course, located at the northeast corner of the intersection of Tully and White Roads.
- 3) Berg/IDS Property: A primarily vacant 200-acre site located south of Aborn Road, east of Yerba Buena Road, and west of the Urban Growth Boundary. This site has a PD zoning that would allow the development of up to 2.9 million square feet of *Campus Industrial* uses.
- 4) Legacy Partners Property: A vacant 120-acre site located on the east side of Yerba Buena Road, also east of the Urban Growth Boundary and just south of the Berg/IDS property. This site has a PD zoning that would allow the development of up to 1.8 million square feet of *Campus Industrial* uses.
- 5) Evergreen Valley College Property: A primarily vacant, 27-acre site that is a portion of the Evergreen Valley College property, located near the northeast corner of the intersection of Yerba Buena and San Felipe Roads.

### 6.2.2 *Flea Market Project*

The approximately 120-acre Flea Market project site is located on both sides of Berryessa Road, west of the UPRR tracks and is the current location of the San José Flea Market. A major General Plan amendment on the site that allows for residential and a mix of other uses was previously approved in 2002. The current project proposes amendments to the City of San José General Plan and rezoning that would allow for the future development of residential, combined industrial/commercial, and commercial uses on the project site. The General Plan amendment proposes to change the existing

General Plan designations on approximately 24.4 acres of the site from *Combined Industrial/Commercial* to *Transit Corridor Residential* (20+ DU/AC).

The existing zoning of the project site is *A(PD) Planned Development* and *IP - Industrial Park*. Approximately 100 acres on the project site are zoned *A(PD)* for the operation of the San José Flea Market uses. The southernmost 20 acres of the project site is zoned *IP - Industrial Park* and is

currently used by the Flea Market for parking. The proposed Flea Market project would result in approximately 1,095 new residences and 90 fewer jobs than currently included in the General Plan.

### **6.2.3**            *iStar Project*

The approximately 76-acre project site is bounded by Great Oaks Boulevard to the north, Tucson Way to the east, SR 85 to the east and south, and Manassas Road to the west. The site is comprised of undeveloped land. The project proposed a General Plan amendment to change the land use designation on the site from *Industrial Park* to *Mixed Use with No Underlying Land Use designation* and Planned Development zoning that will allow the development of up to 1.0 million square feet of R&D/office and up to 450,000 square feet of commercial/retail uses on the project site. The iStar project was approved by the City Council in June 2006, but development permits have not yet been issued and construction of the project has not commenced.

### **6.2.4**            *Recently-Approved Projects*

In addition to the projects listed in Table 6.0-1, and in the context of this cumulative impacts analysis, it is important to note that the City recently (in the past two to three years) approved three large development projects. These projects are the North San José Development Policies (GP04-04-06), the Downtown San José Strategy 2000 (GP05-03-01), and Hitachi Project (GP04-02-01). These three projects, allow for a combined increase of approximately 116,630 jobs and 37,600 dwelling units, and up to 450,000 square feet of commercial/retail uses in San José, summarized as follows:

The approved North San José Development Policies Project covers the Rincon de los Esteros Redevelopment Area in North San José, a 3,900-acre area located generally south of State Route 237, east of the Guadalupe River, north and northwest of Interstate 880, and west of Coyote Creek. The project would allow for the development of approximately 26.7 million square feet of new industrial/office/R&D building space in the Rincon area beyond current entitlements. In addition, up to 24,700 new dwelling units are allowed in Rincon, at average densities of either 55 or 90 dwelling units per acre (DU/AC) depending upon their location.

The approved Downtown San José Strategy 2000 is a long-term plan for development in the greater Downtown area, which occupies approximately three square miles (1,920 acres) and extends beyond San José's traditional Downtown center to be generally bounded by Diridon Station to the west, Taylor Street to the north, San José State University to the east, and Interstate 280 to the south. Development anticipated to occur during the next 10 year period includes up to 10 million square feet of office space, up to 10,000 residential units, up to 1.2 million square feet of retail space, and up to 2,500 hotel rooms.

The approved Hitachi project is located on a 332-acre site that is bounded generally by Monterey Highway and the Union Pacific Railroad tracks, State Route 85, and Cottle Road in South San José. The project, which is adjacent to the iStar site, allows Hitachi to consolidate their existing 3.6 million square feet of industrial and office operations on the 178-acre "central core" of the site, and to construct a mixed-use, transit-oriented development consisting of up to 2,930 residential units and 460,000 square feet of commercial uses around the perimeter of the site.

The traffic that will be generated by these approved-but-not-yet-constructed projects is accounted for in this EIR in both the project-specific traffic analysis (Section 4.2) and the cumulative traffic analysis (Section 6.3.2). Such traffic is part of the Background Conditions, to which traffic from the CVSP and the other cumulative projects is added.

Similar to traffic, the noise and air quality effects of these three large projects are accounted for under the Background Conditions. For all other impact categories, the effects of these three projects are described in the discussions that follow, as applicable.

## **6.3 ANALYSIS OF CUMULATIVE IMPACTS**

For the purposes of this EIR, the cumulative analysis is based on build-out of the approved San José General Plan (including the four large recently-approved North San José, Downtown San José, Hitachi, and iStar projects), in combination with all pending applications to change the City's General Plan.

With the exception of traffic, the thresholds of significance used throughout the analyses of cumulative impacts are the same as those listed throughout Section 4.0, *Environmental Setting, Impacts, and Mitigation and Avoidance Measures*. Traffic thresholds of significance for cumulative impacted are listed below in Section 6.3.2.

### **6.3.1 Cumulative Land Use Impacts**

#### **6.3.1.1 *Introduction***

Approval of the proposals under consideration (see list of cumulative projects in Table 6.0-1), plus the recently-approved North San José, Downtown San José, and Hitachi projects, would result in substantial development/redevelopment of over 10,900 acres of land within the City of San José, most of which is currently vacant/undeveloped/underdeveloped land. General Plan amendments, rezonings, and (in some circumstances) annexations would be required to allow the anticipated development. Most of the sites are located within developed, urban areas; however, the Coyote Valley and the eastern edge of Evergreen are largely undeveloped and agricultural.

#### **6.3.1.2 *Cumulative Land Use Compatibility Impacts***

In terms of the cumulative analysis, land use compatibility can be divided into short-term and long-term impacts. Short-term impacts occur during construction and primarily affect existing sensitive land uses, such as hospitals, schools, and residential development near the construction sites. These impacts include the noise and dust generated by grading and excavation activities and the use of heavy machinery, and the use of hazardous materials such as solvents. These specific impacts are discussed in greater detail in the Noise, Air Quality, and Hazardous Materials subsections of this cumulative discussion.

Locating residences in proximity to commercial and/or industrial areas creates the potential for long-term conflicts between these land uses. A residential population is more sensitive to what would otherwise be sources of annoyance or nuisance to a workplace population. Residences are more likely to include sensitive populations, including children, the elderly, and the chronically ill. Residents frequently object to nighttime noise from loading docks, truck traffic and heavy equipment, outdoor lighting, truck traffic spillover into residential neighborhoods, and the use, storage, and transport of hazardous materials. These activities may be considered unacceptable to nearby residents, even if the businesses are not located immediately adjacent to the residences.

These adverse land use impacts can range from minor irritations and nuisances to potentially significant effects on human health and safety.

Complaints from residents may cause restrictions to be placed on industrial or commercial businesses that are near the residential development and could limit the types of businesses that are acceptable at these sites. These restrictions can lead to the devaluation of property and economic losses by limiting the uses of the affected industrial or commercial properties. For example, industrial uses might be restricted from using outdoor areas, such as loading docks and parking areas in the evening or nighttime hours. While such economic effects do not equate to environmental impacts, they may be considered as a measure of significance of the degree of conflict created between land uses, and eventually would degrade the viability of the industrial or commercial land use.

The projects included in this cumulative analysis would all be required to implement General Plan policies and to conform to residential, commercial, and industrial design guidelines that are intended to minimize land use conflicts. The General Plan land use designation of Heavy Industrial is intended to protect businesses having characteristics that make them incompatible with residential and other sensitive land uses. Conformance with the City's adopted Residential Design Guidelines would require that future residential development recognize the presence of potentially incompatible land uses and that the site design be appropriate for such conditions.

Implementation of setbacks, buffers, appropriate site design and building orientation, and/or soundproofing will be considered during the site and architectural review/permitting process on a project-by-project basis. Similarly, future development and/or redevelopment of industrial sites would be reviewed for consistency with the City's adopted Industrial Design Guidelines. Project-specific construction dust control measures during construction would be implemented at each site in accordance with the City's Grading and Zoning Ordinances and BAAQMD requirements. Construction-related noise impacts would also be mitigated on a project-by-project basis depending upon distances to sensitive receptors and construction methods. It is anticipated that Construction Noise Management Plans will be implemented for most projects.

**Impact C-LU-1:** Development in accordance with the City's General Plan, applicable City Ordinances, and future CVSP design guidelines, which will be based upon and be no less restrictive than the intent and purpose of the existing City design guidelines, would reduce the likelihood that the projects considered in this cumulative scenario would result in a significant cumulative land use compatibility impact. [**Less than Significant Cumulative Impact**]

### **6.3.1.3** *Cumulative Loss of Agricultural Lands*

Two of the cumulative project would result in the loss of agricultural lands, including lands mapped as Prime Farmland by the California Department of Conservation:

- The iStar project would result in the loss of approximately 80 acres of Prime Farmland.
- The CVSP project would result in the loss of approximately 2,400 acres of Prime and Unique Farmland, and Farmland of Statewide Importance.

Lands with soils that support prime agricultural uses are a finite resource. Due to development pressures, little agricultural land is left in San José or the greater Bay Area, and agricultural land is rapidly being developed statewide. Therefore, the loss of agricultural lands from the cumulative projects would be significant, and the contribution of the CVSP to this impact would be considerable.

**Impact C-LU-2:** The implementation of the identified cumulative projects would result in a significant cumulative impact due to the loss of agricultural lands and the CVSP project would make a considerable contribution towards that impact. [**Significant Cumulative Impact**]

The above conclusion notwithstanding, all of the agricultural land that is currently within the City's Urban Service Area, including the lands in North Coyote Valley, is designated for urban uses. The conversion from agricultural use was addressed in one or more previously-prepared EIRs, including the EIR certified for the City's General Plan in 1995, and EIRs prepared for the campus industrial developments in North Coyote Valley. In designating these lands for urban uses, the City disclosed the impact from loss of agricultural lands and adopted findings and statements of overriding considerations, as required by CEQA.

The projects that are represented in this cumulative analysis within North Coyote Valley and Evergreen would not result in the loss of additional agricultural land beyond that disclosed in previous CEQA documents, as referenced above. These cumulative projects are the re-designation of urban-designated lands for different urban uses. Only the proposed use of agricultural lands within mid-Coyote Valley that would be included in the CVSP would result in loss of agricultural land not previously approved for urban development and acknowledged in an adopted EIR. The evaluation of the loss of agricultural land as a result of the CVSP project is included in Section 4.1.2.3 of this EIR.

#### **6.3.1.4**            *Cumulative Loss of Open Space*

The City's adopted General Plan identifies an appropriate balance of property planned for development within the urban growth boundary, and other lands designated for permanent open space, both inside and outside of the Urban Growth Boundary. Most of the cumulative projects are located on properties that are within urban, highly developed areas of San José and are already designated for urban uses in the City's General Plan. Although the Mid-Coyote Valley Urban Reserve is not within the City's current Urban Service Area boundary, it has been designated for development in the General Plan since 1984. None of the cumulative project sites are designated as permanent open space in the General Plan. The cumulative projects, therefore, would not result in a cumulatively significant loss of lands previously designated for open space use.

**Impact C-LU-3:**        The cumulative projects would not result in a cumulatively significant loss of lands previously designated for open space use. [**Less than Significant Cumulative Impact**]

#### **6.3.1.5**            *Mitigation for Cumulative Land Use Impacts*

Mitigation for the cumulative loss of agricultural land is the same as that described for the loss of agricultural lands due to implementation of the CVSP and iStar projects. Please refer to the text in Section 4.1.3.3, *Mitigation for Loss of Agricultural Lands* for a discussion of CVSP mitigation measures. As described in the iStar EIR, impacts to Important Farmlands from that development would also be significant and unavoidable.

#### **6.3.1.6**            *Conclusions regarding Cumulative Land Use Impacts*

**Impact C-LU-1:**        Cumulative development would not result in significant land use compatibility impacts. [**Less than Significant Cumulative Land Use Impact**]

**Impact C-LU-2:**        Cumulative development would not result in a significant loss of open space. [**Less than Significant Cumulative Land Use Impact**]

**Impact C-LU-3:**        Cumulative development would result in a significant loss of agricultural lands in San José. [**Less than Significant Cumulative Land Use Impact if**

**Mitigation is Determined to be Feasible and Made a Condition of Approval] [Significant Unavoidable Cumulative Land Use Impact if Mitigation is Determined to be Infeasible]**

**6.3.2            Cumulative Transportation and Traffic Impacts**

Consistent with the City of San José's practice for all General Plan land use amendments, a cumulative impacts analysis was done using the CUBE computer model. The model and the methodology used in evaluating the model output are both discussed in Section 4.2.4 of this EIR, and the detailed results of the cumulative analysis model run is included in Appendix C.

The cumulative traffic analysis in this section differs from the program-level traffic analysis contained in Section 4.2.4 as follows: the analysis in Section 4.2.4 focuses on the effect of the CVSP, whereas the cumulative analysis focuses on the combined effect of the CVSP, the cumulative projects listed in Table 6.0-1, and the projections of ABAG and the VTA 2030 model which includes future projects in Morgan Hill and Gilroy.

The cumulative impact analysis includes the evaluation of impacts on regional screenlines within the vicinity of the individual General Plan amendments for both peak and reverse directions, and the total increases in peak direction volume across all three subarea cordon lines as was done for the project condition, including the percentage of total trips county-wide this represents. In addition, the cumulative analysis includes an analysis of changes (net increases or decreases) in regional and Vehicle Hours Traveled (VHT) and Vehicle Miles Traveled (VMT).

**6.3.2.1            *Thresholds of Significance***

For the purposes of this EIR, a cumulative transportation impact is considered significant if the following were to occur during either the AM or PM peak hour:

- average vehicle hours traveled (VHT) and vehicle miles traveled (VMT) both increase by 0.10 percent for all roadways in Santa Clara County; or
- total peak hour trips increase by 0.10 percent or more for all trips originating in and/or destined for Santa Clara County; or
- peak direction volumes across any one of the special subarea cordon lines includes by the following percentages; or
  - North San José Subarea:            0.15%
  - Evergreen Subarea:                0.05%
  - South San José Subarea:            0.15%
- aggregated volume to capacity ratios (V/C) of nearby regional screenlines increase in the peak direction by at least 0.01 and total volumes on the same links increase in the peak direction by at least five percent of average link capacity; or
- aggregated E/F link V/C ratios of nearby regional screenlines increase in the peak direction by at least 0.005, and total volumes on the same E/F links increase in the peak direction by at least 2.5% of average congested link capacity.

For the purposes of this cumulative analysis, and consistent with the thresholds used by the City in evaluating cumulative transportation impacts of General Plan amendments, if one or more of these thresholds is exceeded, the proposed General Plan amendments would have cumulatively significant

adverse impacts.<sup>80</sup> Depending on the circumstances of each individual amendment, including size and location, the cumulative analysis may conclude that one or more individually proposed amendments would contribute substantially to significant cumulative impacts, or that none of the individually proposed amendments would make a more meaningful contribution to the cumulative impacts than any other amendment.

### **6.3.2.2** *Cumulative Analysis*

The Winter 2007 cumulative analysis is presented in two scenarios that include two phases of CVSP development; partial build-out and full build-out. The CVSP Partial build-out scenario includes 20,000 jobs and 10,000 dwelling units and is provided because the horizon year of the General Plan is 2020 and full build-out of the CVSP may not occur until after 2020. In addition, there are current entitlements within the NCCIA (CVRP project) for approximately 20,000 jobs.

The proposed land use changes and roadway network amendments would produce a combined net change of approximately 41,000 additional households and 5,800 added jobs relative to the current adopted General Plan under the CVSP Full Build-out scenario. Under the CVSP Partial Build-out scenario, the proposed land use changes and roadway network amendments would produce a combined net change of approximately 26,300 additional households and a decrease of approximately 26,000 jobs relative to the current adopted General Plan.

The proposed land use and network changes were evaluated to determine the effects of the proposed General Plan amendments on the citywide transportation system. Increases in volumes across the identified screenlines for the special subareas, changes in VMT and VHT, and an examination of all LOS E/F links evaluated for each of the proposed General Plan amendments due to the land use adjustments were analyzed.

### **6.3.2.3** *Cumulative VHT and VMT Analysis*

Part of the cumulative traffic analysis included the effect of all of the projects listed in Table 6.0-2 on VHT and VMT on all roadways within the City's Sphere of Influence. The results of that analysis are shown in Table 6.0-3. The data indicate the regional VHT will increase 19.7% in the AM and 7.8% in the PM peak hours while regional VMT will increase 5.45% in the AM and 3.6% in the PM peak hours under the CVSP Full Build-out scenario. Under the CVSP Partial Build-out scenario, regional VHT will increase 14.6% in the AM and 12.1% in the PM peak hours while regional VMT will increase 3.74% in the AM and 2.4% in the PM peak hours. These regional impacts are largely caused by the CVSP and Evergreen (EEHVS) projects. Therefore, either of the CVSP project build-out scenarios would make a significant contribution towards this cumulative impact.

**Impact C-TRAN-1:** The increases in regional VHT and VHT of the cumulative projects including either CVSP build-out scenarios are cumulatively significant impacts. Both build-out scenarios would make a significant contribution towards this significant cumulative impact. **[Significant Cumulative Impact]**

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<sup>80</sup> *Methodology for Preparing Long-Term Traffic Impact Assessments*, City of San José Department of Transportation, 2005/2006.

TABLE 6.0-2 CUMULATIVE REGIONAL VMT & VHT COMPARISON								
AM Peak Hour					PM Peak Hour			
Base	CVSP Project	Change	% Change	Base	CVSP Project	Change	% Change	
<b>CVSP Full Build-out</b>								
Regional VHT	190,829	228,397	<b>37,568</b>	<b>19.7%</b>	335,123	361,263	<b>26,140</b>	<b>7.8%</b>
Regional VMT	3,867,924	4,078,787	<b>210,863</b>	<b>5.45%</b>	4,524,689	4,688,260	<b>163,571</b>	<b>3.6%</b>
<b>CVSP Partial Build-out</b>								
Regional VHT	190,829	218,684	<b>27,855</b>	<b>14.6%</b>	335,123	375,512	<b>40,389</b>	<b>12.1%</b>
Regional VMT	3,867,924	4,012,697	<b>144,773</b>	<b>3.74%</b>	4,524,689	4,632,292	<b>107,603</b>	<b>2.4%</b>
Notes: Significant Impact = 0.2% <b>Bold</b> indicates cumulatively significant impact that CVSP contributes to. Source: City of San José General Plan amendment Winter 2007 Cumulative Analysis, December 2006.								

#### 6.3.2.4 Cumulative Cordon Line Analysis

The cumulative cordon line analysis is based on the boundaries of the special subareas, as shown on Figure 4.2-16. Changes in peak direction volumes crossing the identified boundaries are used to determine the effects of the proposed General Plan land use amendments. The results of the cordon line analysis are shown in Table 6.0-3, below.

Based on the cordon line analysis, trips increase county-wide by 4.5 % and 4.15% during the AM and PM peak hours, respectively under the CVSP Full Build-out scenario. Under the CVSP Partial Build-out scenario, the trips will increase county-wide by 2.28% and 1.93% during the AM and PM peak hours, respectively. In addition, the increase in trips across the Evergreen, South San José, and North San José subarea cordon lines will increase by more than the identified threshold percentages for each subarea under each build-out scenario.

**Impact C-TRAN-2:** The increases in peak hour trips countywide of the cumulative projects including either CVSP build-out scenarios are cumulatively significant impacts. The increase in peak hour trips across the subarea cordon lines under both build-out scenarios would be cumulatively significant. Both build-out scenarios would make a significant contribution towards this significant cumulative impact. **[Significant Cumulative Impact]**

**TABLE 6.0-3  
CORDON LINE ANALYSIS**

<u>AM Peak Hour</u>					<u>PM Peak Hour</u>			
<b>Subareas</b>	<b>Base Volume</b>	<b>CVSP Project Volume</b>	<b>Volume Change</b>	<b>% Change</b>	<b>Base Volume</b>	<b>CVSP Project Volume</b>	<b>Volume Change</b>	<b>% Change</b>
<b>CVSP Full Build-out</b>								
Evergreen	16,807	19,114	<b>2,307</b>	<b>13.73%*</b>	18,413	20,474	<b>2,062</b>	<b>11.2%*</b>
North San José	32,313	32,415	<b>102</b>	<b>0.32%**</b>	36,619	36,708	<b>89</b>	<b>0.24%**</b>
South San José	17,379	19,839	<b>2,460</b>	<b>14.16%*</b>	19,105	21,943	<b>2,838</b>	<b>14.9%*</b>
County-wide	358,236	374,422	<b>16,186</b>	<b>4.52%*</b>	439,639	457,880	<b>18,241</b>	<b>4.15%*</b>
<b>CVSP Partial Build-out</b>								
Evergreen	16,807	19,024	<b>2,217</b>	<b>13.19%*</b>	18,413	20,357	<b>1,944</b>	<b>10.56%*</b>
North San José	32,313	32,599	<b>286</b>	<b>0.89%**</b>	36,619	36,858	<b>239</b>	<b>0.65%**</b>
South San José	17,379	19,219	<b>1,840</b>	<b>10.59%*</b>	19,105	21,004	<b>1,899</b>	<b>9.94%*</b>
County-wide	358,236	366,385	<b>8,149</b>	<b>2.28%*</b>	439,639	448,139	<b>8,500</b>	<b>1.93%*</b>

Notes:

**Bold** indicates significant impact.

\*This significant impact is mostly attributable to the EEHVS and CVSP projects.

\*\*This significant impact is mostly attributable to the EEHVS, CVSP, and cumulative projects numbers 11, 14, 20, 21, 28, and 29 (see Table 6.0-1).

Source: City of San José General Plan Amendment Land Use + Network CVSP Analysis, December 7, 2006.

### 6.3.2.5 Cumulative Screenline Analysis

As described in Section 4.2.4, a screenline analysis is one of the tools used by the City of San José to evaluate the effects of General Plan amendments, both individually and cumulatively. The results of the cumulative screenline analysis are summarized in Tables 6.0-4 and 6.0-5. The data indicate that all of the 31 studied link sets (280 total links) currently operate at either LOS E or F during the AM and/or PM peak hours in at least one direction. The proposed land use amendments, including the CVSP project, would result in significant impacts on each of the 31 studied link sets during at least one peak or reverse hour under the CVSP Full Build-out scenario. The proposed land use amendments, including the CVSP project, would result in significant impacts on all link sets, with the exception of the link set west of US 101 (westbound), during at least one peak hour under CVSP Partial Build-out scenario. It should be noted that several of the identified screenline impacts would be to the off peak direction of the links crossing the screenlines.

**Impact C-TRAN-3:** Based on the screenline impact criteria, the increases in V/C and the corresponding increases in traffic volumes on all studied links under the CVSP Full Build-out scenario and on all but one of the studied links under the CVSP Partial Build-out scenario. This would constitute significant

adverse traffic impacts. Both scenarios of CVSP build-out would make a considerable contribution towards this significant cumulative impact.  
**[Significant Cumulative Impact]**

**TABLE 6.0-4  
LONG-TERM CUMULATIVE IMPACT SUMMARY  
(FULL CVSP BUILD-OUT)**

		AM PEAK HOUR				PM PEAK HOUR			
Link Set	All Links	# of Links	Volume Change	V/C Change	5% Capacity	# of Links	Volume Change	V/C Change	5% Capacity
1	S of SR-17	7	<b>595</b>	<b>0.041</b>	<b>103</b>	7	<b>423</b>	<b>0.029</b>	<b>103</b>
2	N of SR-17 & I-880	7	<b>893</b>	<b>0.051</b>	<b>125</b>	7	<b>661</b>	<b>0.038</b>	<b>125</b>
3	S of US-101	7	<b>577</b>	<b>0.035</b>	<b>118</b>	7	105	0.007	122
4	W of I-880 & 10 <sup>th</sup> St.	6	<b>741</b>	<b>0.058</b>	<b>106</b>	6	55	0.004	106
5	E of US-101	8	<b>1,332</b>	<b>0.053</b>	<b>157</b>	8	<b>1,009</b>	<b>0.040</b>	<b>157</b>
6	W of US-101	6	<b>669</b>	<b>0.041</b>	<b>135</b>	6	148	0.009	135
7	S of Jackson St.	6	<b>1,352</b>	<b>0.065</b>	<b>172</b>	6	<b>991</b>	<b>0.049</b>	<b>172</b>
8	W of I-680	9	<b>351</b>	<b>0.014</b>	<b>135</b>	9	<b>372</b>	<b>0.017</b>	<b>124</b>
9	N of US-101 & I-880	4	<b>465</b>	<b>0.039</b>	<b>150</b>	4	<b>179</b>	<b>0.015</b>	<b>150</b>
10	W of I-880 & 10 <sup>th</sup> St.	9	<b>1,140</b>	<b>0.056</b>	<b>112</b>	9	190	0.009	112
11	Coyote Creek	7	<b>933</b>	<b>0.060</b>	<b>111</b>	7	<b>364</b>	<b>0.022</b>	<b>118</b>
12	S of Naglee/Jackson/Mabury	9	<b>922</b>	<b>0.059</b>	<b>86</b>	9	<b>246</b>	<b>0.016</b>	<b>86</b>
13	S of I-280	11	<b>989</b>	<b>0.040</b>	<b>111</b>	11	<b>788</b>	<b>0.035</b>	<b>112</b>
14	N of I-280 & I-680	10	<b>790</b>	<b>0.036</b>	<b>109</b>	10	<b>373</b>	<b>0.017</b>	<b>109</b>
15	Guadalupe River	9	<b>1,013</b>	<b>0.052</b>	<b>108</b>	9	<b>608</b>	<b>0.031</b>	<b>108</b>
16	N of Cochrane (NB)	5	47	0.004	112	5	<b>975</b>	<b>0.087</b>	<b>112*</b>
17	N of Cochrane (SB)	5	<b>1,101</b>	<b>0.098</b>	<b>112*</b>	5	-40	-0.004	112
18	S of San Martin (NB)	5	-291	-0.026	112	5	<b>407</b>	<b>0.036</b>	<b>112*</b>
19	S of San Martin (SB)	5	<b>500</b>	<b>0.044</b>	<b>112*</b>	5	-354	-0.031	112
20	N of Leavesley (NB)	6	-257	-0.023	94	6	<b>378</b>	<b>0.033</b>	<b>94*</b>
21	N of Leavesley (SB)	6	<b>467</b>	<b>0.041</b>	<b>94*</b>	6	-249	-0.022	94
22	S of I-280 (NB)	16	<b>2,166</b>	<b>0.073</b>	<b>92</b>	16	<b>758</b>	<b>0.026</b>	<b>92*</b>
23	S of I-280 (SB)	17	<b>402</b>	<b>0.011</b>	<b>106*</b>	17	<b>2,441</b>	<b>0.067</b>	<b>106</b>
24	N of SR-17 & I-880 (NB)	10	<b>1,250</b>	<b>0.050</b>	<b>125</b>	10	-219	-0.009	125
25	N of SR-17 & I-880 (SB)	11	-69	-0.002	<b>132</b>	11	<b>881</b>	<b>0.028</b>	<b>132</b>
26	S of Capitol Expwy. (NB)	16	<b>2,554</b>	<b>0.071</b>	<b>112*</b>	16	<b>1,340</b>	<b>0.037</b>	<b>112*</b>
27	S of Capitol Expwy. (SB)	16	<b>1,042</b>	<b>0.029</b>	<b>112*</b>	16	<b>2,080</b>	<b>0.058</b>	<b>112*</b>
28	W of US 101 (WB)	10	31	0.002	64	10	<b>282</b>	<b>0.022</b>	<b>64*</b>
29	W of US 101 (EB)	10	<b>629</b>	<b>0.049</b>	<b>64*</b>	10	-364	-0.028	64
30	S of SR-85 (NB)	13	<b>4,432</b>	<b>0.141</b>	<b>120*</b>	13	<b>3,521</b>	<b>0.112</b>	<b>120*</b>
31	S of SR-85 (SB)	14	<b>2,956</b>	<b>0.087</b>	<b>121*</b>	14	<b>4,188</b>	<b>0.123</b>	<b>121*</b>
<hr/>									
Link Set	E/F (Congested) Links	# of Links	Volume Change	V/C Change	2.5% Capacity	# of Links	Volume Change	V/C Change	2.5% Capacity
1	S of SR-17	5	<b>199</b>	<b>0.018</b>	<b>55</b>	5	<b>245</b>	<b>0.025</b>	<b>49</b>
2	N of SR-17 & I-880	5	<b>731</b>	<b>0.053</b>	<b>69</b>	6	<b>626</b>	<b>0.040</b>	<b>65</b>
3	S of US-101	4	<b>92</b>	<b>0.008</b>	<b>69</b>	4	48	0.004	69

**TABLE 6.0-4  
LONG-TERM CUMULATIVE IMPACT SUMMARY  
(FULL CVSP BUILD-OUT)**

Link Set	E/F (Congested) Links	AM PEAK HOUR				PM PEAK HOUR			
		# of Links	Volume Change	V/C Change	2.5% Capacity	# of Links	Volume Change	V/C Change	2.5% Capacity
4	W of I-880 & 10 <sup>th</sup> St.	6	<b>741</b>	<b>0.058</b>	<b>53</b>	<b>5</b>	<b>70</b>	<b>0.006</b>	<b>61</b>
5	E of US-101	7	<b>833</b>	<b>0.042</b>	<b>71</b>	<b>8</b>	<b>1,09</b>	<b>0.040</b>	<b>78</b>
6	W of US-101	3	<b>613</b>	<b>0.061</b>	<b>83</b>	<b>5</b>	<b>182</b>	<b>0.014</b>	<b>63</b>
7	S of Jackson St.	4	<b>878</b>	<b>0.051</b>	<b>106</b>	<b>6</b>	<b>991</b>	<b>0.049</b>	<b>86</b>
8	W of I-680	1	38	0.02	67	<b>4</b>	<b>505</b>	<b>0.034</b>	<b>93</b>
9	N of US-101 & I-880	4	<b>465</b>	<b>0.039</b>	<b>75</b>	<b>4</b>	<b>179</b>	<b>0.015</b>	<b>75</b>
10	W of I-880 & 10 <sup>th</sup> St.	7	<b>1116</b>	<b>0.060</b>	<b>66</b>	<b>9</b>	<b>190</b>	<b>0.009</b>	<b>56</b>
11	Coyote Creek	7	<b>933</b>	<b>0.060</b>	<b>55</b>	<b>7</b>	<b>364</b>	<b>0.022</b>	<b>59</b>
12	S of Naglee/Jackson/Mabury	9	<b>922</b>	<b>0.059</b>	<b>43</b>	<b>8</b>	<b>180</b>	<b>0.013</b>	<b>42</b>
13	S of I-280	8	<b>963</b>	<b>0.054</b>	<b>55</b>	<b>8</b>	<b>631</b>	<b>0.034</b>	<b>57</b>
14	N of I-280 & I-680	2	50	0.008	81	5	23	0.002	53
15	Guadalupe River	3	<b>703</b>	<b>0.062</b>	<b>94</b>	<b>3</b>	<b>336</b>	<b>0.030</b>	<b>94</b>
16	N of Cochrane (NB)	2	-40	-0.005	96	3	0	0.000	0
17	N of Cochrane (SB)	0	0	0.000	0	0	-67	-0.008	71
18	S of San Martin (NB)	1	159	0.027	146	1	0	0.000	0
19	S of San Martin (SB)	0	0	0.000	0	0	-55	-0.009	146
20	N of Leavesley (NB)	2	195	0.030	80	1	0	0.000	0
21	N of Leavesley (SB)	1	-3	0.004	15	0	-198	-0.034	146
22	S of I-280 (NB)	13	<b>1,823</b>	<b>0.069</b>	<b>50</b>	15	21	0.006	95
23	S of I-280 (SB)	0	0	0.000	0	1	<b>1860</b>	<b>0.059</b>	<b>52</b>
24	N of SR-17 & I-880 (NB)	8	<b>1,088</b>	<b>0.051</b>	<b>66</b>	8	-119	-0.016	93
25	N of SR-17 & I-880 (SB)	0	0	0.000	0	2	<b>942</b>	<b>0.044</b>	<b>66</b>
26	S of Capitol Expwy. (NB)	4	<b>651</b>	<b>0.066</b>	<b>61</b>	6	91	0.024	95
27	S of Capitol Expwy. (SB)	0	0	0.000	0	1	<b>518</b>	<b>0.030</b>	<b>72</b>
28	W of US 101 (WB)	1	39	0.022	45	1	0	0.000	0
29	W of US 101 (EB)	0	0	0.000	0	0	-13	-0.007	45
30	S of SR-85 (NB)	5	<b>875</b>	<b>0.120</b>	<b>106*</b>	4	<b>1185</b>	<b>0.139</b>	<b>106*</b>
31	S of SR-85 (SB)	2	<b>2,642</b>	<b>0.154</b>	<b>86*</b>	2	<b>2405</b>	<b>0.166</b>	<b>90*</b>

Notes:

Bold Type indicates significant impact.

NB = Northbound, SB = Southbound, WB = Westbound, EB = Eastbound.

\* This significant impact is mostly attributable to the CVSP project only.

All other significant impacts are mostly attributable to CVSP and other General Plan amendments as shown in Table 29 of Appendix C.

**Source:** City of San José General Plan Amendment Winter 2007 Cumulative Analysis, December 2006.

**TABLE 6.0-5  
LONG-TERM CUMULATIVE IMPACT SUMMARY  
(PARTIAL CVSP BUILD-OUT)**

		AM PEAK HOUR				PM PEAK HOUR			
Link Set	All Links	# of Links	Volume Change	V/C Change	5% Capacity	# of Links	Volume Change	V/C Change	5% Capacity
1	S of SR-17	7	839	0.058	103	7	523	0.036	103
2	N of SR-17 & I-880	7	866	0.049	125	7	844	0.048	125
3	S of US-101	7	745	0.045	118	7	70	0.005	122
4	W of I-880 & 10 <sup>th</sup> St.	6	542	0.042	106	6	496	0.039	106
5	E of US-101	8	1,281	0.051	157	8	1,093	0.043	157
6	W of US-101	6	1,049	0.065	135	6	323	0.020	135
7	S of Jackson St.	6	1,059	0.051	172	6	1,068	0.058	172
8	W of I-680	9	541	0.022	135	9	367	0.016	124
9	N of US-101 & I-880	4	424	0.035	150	4	197	0.016	150
10	W of I-880 & 10 <sup>th</sup> St.	9	1,147	0.057	112	9	649	0.032	112
11	Coyote Creek	7	812	0.052	111	7	320	0.019	118
12	S of Naglee/Jackson/Mabury	9	707	0.045	86	9	727	0.047	86
13	S of I-280	11	747	0.030	111	11	722	0.032	112
14	N of I-280 & I-680	10	550	0.025	109	10	498	0.023	109
15	Guadalupe River	9	1,034	0.053	108	9	926	0.047	108
16	N of Cochrane (NB)	5	-277	-0.025	112	5	440	0.039	112*
17	N of Cochrane (SB)	5	478	0.042	112*	5	-333	-0.030	112
18	S of San Martin (NB)	5	-242	-0.022	112	5	293	0.026	112*
19	S of San Martin (SB)	5	330	0.029	112*	5	-313	-0.028	112
20	N of Leavesley (NB)	6	-196	0.017	94	6	289	0.025	94*
21	N of Leavesley (SB)	6	334	0.029	94*	6	-264	-0.023	94
22	S of I-280 (NB)	16	1,505	0.051	92	16	194	0.007	92*
23	S of I-280 (SB)	17	-266	-0.007	106	17	2,029	0.056	106
24	N of SR-17 & I-880 (NB)	10	1,164	0.047	125	10	-325	-0.013	125
25	N of SR-17 & I-880 (SB)	11	-286	-0.010	132	11	957	0.033	132
26	S of Capitol Expwy. (NB)	16	1,588	0.044	112*	16	164	0.005	112*
27	S of Capitol Expwy. (SB)	16	-165	-0.005	112	16	1,458	0.040	112*
28	W of US 101 (WB)	10	-323	-0.025	64	10	8	0.001	64
29	W of US 101 (EB)	10	332	0.026	64*	10	-651	-0.051	64
30	S of SR-85 (NB)	13	2,249	0.072	120*	13	648	0.021	120*
31	S of SR-85 (SB)	14	480	0.014	121*	14	1,941	0.057	121*
Link Set	E/F (Congested) Links	# of Links	Volume Change	V/C Change	2.5% Capacity	# of Links	Volume Change	V/C Change	2.5% Capacity
1	S of SR-17	5	363	0.033	55	6	470	0.037	52
2	N of SR-17 & I-880	5	737	0.053	69	6	849	0.054	65
3	S of US-101	5	465	0.036	64	4	37	0.003	69
4	W of I-880 & 10 <sup>th</sup> St.	5	522	0.043	61	6	496	0.039	53
5	E of US-101	6	859	0.045	80	7	743	0.037	71
6	W of US-101	3	680	0.066	85	5	198	0.016	63
7	S of Jackson St.	4	640	0.037	106	5	994	0.059	94
8	W of I-680	2	509	0.049	128	4	323	0.022	93

**TABLE 6.0-5  
LONG-TERM CUMULATIVE IMPACT SUMMARY  
(PARTIAL CVSP BUILD-OUT)**

Link Set	E/F (Congested) Links	AM PEAK HOUR				PM PEAK HOUR			
		# of Links	Volume Change	V/C Change	2.5% Capacity	# of Links	Volume Change	V/C Change	2.5% Capacity
9	N of US-101 & I-880	4	<b>424</b>	<b>0.035</b>	<b>75</b>	4	<b>197</b>	<b>0.016</b>	<b>75</b>
10	W of I-880 & 10 <sup>th</sup> St.	8	<b>972</b>	<b>0.051</b>	<b>59</b>	9	<b>649</b>	<b>0.032</b>	<b>56</b>
11	Coyote Creek	6	<b>493</b>	<b>0.038</b>	<b>53</b>	7	<b>320</b>	<b>0.019</b>	<b>59</b>
12	S of Naglee/Jackson/Mabury	9	<b>707</b>	<b>0.045</b>	<b>43</b>	8	<b>704</b>	<b>0.051</b>	<b>42</b>
13	S of I-280	6	<b>550</b>	<b>0.038</b>	<b>59</b>	7	<b>383</b>	<b>0.025</b>	<b>55</b>
14	N of I-280 & I-680	2	-35	-0.005	81	5	5	0.001	53
15	Guadalupe River	4	<b>542</b>	<b>0.042</b>	<b>81</b>	4	613	<b>0.047</b>	<b>81</b>
16	N of Cochrane (NB)	2	-139	-0.018	96	3	0	0.000	0
17	N of Cochrane (SB)	0	0	0.000	0	0	-256	-0.030	71
18	S of San Martin (NB)	1	-136	-0.023	146	1	0	0.000	0
19	S of San Martin (SB)	0	0	0.000	0	0	-50	-0.009	146
20	N of Leavesley (NB)	2	-131	-0.020	80	1	0	0.000	0
21	N of Leavesley (SB)	1	-3	-0.005	15	0	-113	-0.019	146
22	S of I-280 (NB)	13	<b>1,061</b>	<b>0.040</b>	<b>50</b>	13	24	0.006	95
23	S of I-280 (SB)	0	0	0.000	0	1	<b>1,404</b>	<b>0.050</b>	<b>54</b>
24	N of SR-17 & I-880 (NB)	8	<b>1,034</b>	<b>0.048</b>	<b>66</b>	8	-203	-0.027	93
25	N of SR-17 & I-880 (SB)	0	0	0.000	0	2	<b>1,152</b>	<b>0.054</b>	<b>66</b>
26	S of Capitol Expwy. (NB)	4	<b>594</b>	<b>0.061</b>	<b>61</b>	6	42	0.011	95
27	S of Capitol Expwy. (SB)	0	0	0.000	0	1	<b>407</b>	<b>0.024</b>	<b>72</b>
28	W of US 101 (WB)	1	-24	-0.013	45	1	0	0.000	0
29	W of US 101 (EB)	0	0	0.000	0	0	-21	-0.011	45
30	S of SR-85 (NB)	5	<b>1,364</b>	<b>0.079</b>	<b>86*</b>	4	54	0.006	106
31	S of SR-85 (SB)	1	-464	-0.079	146	2	<b>1,011</b>	<b>0.070</b>	<b>90*</b>

Notes:

Bold Type indicates significant impact.

NB = Northbound, SB = Southbound, WB = Westbound, EB = Eastbound.

\* This significant impact is mostly attributable to the CVSP project only.

All other significant impacts are mostly attributable to CVSP and other General Plan amendments as shown in Table 30 of Appendix C.

**Source:** City of San José General Plan Amendment Winter 2007 Cumulative Analysis, December 2006.

### 6.3.2.6 Cumulative LOS E/F Link Analysis

This LOS E/F link analysis is similar to that done for the project impacts, as described in Section 4.2.4 of this EIR. The cumulative impact analysis, however, looks at the combined effects of all of the proposed General Plan amendments, including network changes, on all of the link sets identified for all of the individual amendments.

The information summarized in Tables 6.0-4 and 6.0-5 indicates that approval and full implementation of all of the General Plan amendments proposed would result in significant increases in peak hour congestion on the E/F link sets in the peak travel directions under the CVSP Full and

Partial Build-out scenarios. A total of 22 of the E/F link sets studied would be significantly impacted during at least one peak hour under both cumulative scenarios. It should be noted that several of the identified screenline impacts would be to the off peak direction of the links crossing the screenline. The proposed CVSP General Plan amendment would make a considerable contribution towards these significant impacts under both cumulative scenarios.

**Impact C-TRAN-4:** Based on the screenline impact criteria, a total of 22 of the E/F link sets would be significantly impacted during at least one peak hour under both the CVSP Full and Partial Build-out scenarios. This would constitute significant adverse traffic impacts. Both scenarios of CVSP build-out would make a considerable contribution towards this significant cumulative impact.  
**[Significant Cumulative Impact]**

### 6.3.2.7 *Mitigation for Cumulative Transportation and Traffic Impacts*

#### **Overview of Traffic Mitigation at the Cumulative Level**

Mitigation for cumulative traffic impacts of a widespread nature, such as that described above, requires a comprehensive approach that addresses both "demand" and "capacity". Demand, defined as the number of vehicles desiring to use the roadway system at a given time, can be greatly affected by a variety of factors, including the following:

Land Use Factors: This consists of planning for growth in a manner that reduces the number and length of single-occupancy vehicle trips. Specific measures include locating employment and retail uses near residential uses, encouraging infill development and discouraging sprawl through tools such as urban growth boundaries, and adopting policies that encourage higher density development along transit corridors.

Policy Factors: This consists of adopting policies that provide incentives for commuters to switch from single-occupancy vehicles to alternative forms of transportation. Such measures can include tax benefits for employer-subsidized transit passes, preferential or free parking for carpools, and designated travel lanes for carpools and buses. In some cases, large developments can be required to fund and operate shuttles that provide connections to nearby public transit systems. Policies that reduce level of service standards for peak hour traffic operations can also reduce demand because the resulting increased congestion becomes a disincentive to solo driving when compared to alternative modes.

Design Factors: This category consists of incorporating features into the design of a project that facilitate the use of alternative transportation. Examples include providing showers and storage lockers at employment centers to facilitate bicycling, constructing transit shelters or other amenities for transit users, and constructing attractive pedestrian facilities such as sidewalks and appropriately lit pathways.

Capacity is defined as the ability of the transportation system to accommodate demand. Increases in capacity can take the form of physical improvements, operational improvements, or both:

Physical Improvements: These can include new/wider highways or other roadways, new interchanges and grade separations, widened intersections, new/extended rail lines, and new/expanded transit facilities.

Operational Improvements: These can include the interconnection/coordination of traffic signals, new or expanded bus routes, new rail service on existing lines, and increasing the frequency of transit service.

Depending on the nature and complexity of the improvement, an increase in transportation capacity can require participation by governmental agencies at the federal, state, regional, and/or local levels. At the federal level, participation is usually limited to funding. At the state level, participation involves funding and, in the case of Caltrans, implementation of improvements to freeways and state highways. At the regional level (e.g., Metropolitan Transportation Commission), participation involves establishment of priorities for the funding of highway and transit improvements in the San Francisco Bay Area. At the local level, the VTA (acting as the County Congestion Management Agency) sets the goals and priorities for improvements to the Santa Clara County transportation system, as embodied in the Valley Transportation Plan 2030 (VTP 2030). The City of San José and neighboring cities implement improvements to local roadways and, through the development review/approval process, require new development to fund/implement transportation system improvements.

VTP 2030, which was adopted by the VTA Board of Directors in February 2005, notes that projected growth in Santa Clara County over the next 25 years will be substantially greater than planned increases in roadway capacity. For example, the Plan notes that the projected 36 percent increase in jobs and 27 percent increase in population will far exceed the estimated 5.6 percent increase in freeway capacity from planned projects. The Plan states that "the ability to expand the roadway system to accommodate more vehicles is approaching practical limits."

Recognizing that increases in highway capacity will be inadequate to accommodate projected growth, VTP 2030 includes major expansions of both rail (e.g., LRT, BART, Caltrain, ACE, and Capitol Corridor) and bus transit systems. The ability of the VTA to construct and operate these expanded systems will depend on a number of factors, not the least of which will be financial viability. A key component of financial viability will center on the degree to which people utilize the transit systems, instead of driving their cars. To the extent that the significant traffic congestion that is described in this EIR becomes an incentive for persons to utilize public transit, such increased ridership will, in turn, improve the ability of the VTA to implement further improvements over the long-term.

### **6.3.2.8**            *Cumulative Traffic Mitigation*

Given the magnitude of the cumulative traffic impacts that are described above, no feasible mitigation beyond that already included in each project, was identified that would reduce the impacts to a less than significant level. This conclusion notwithstanding, it is important to summarize the mitigation/avoidance measures that are included in the CVSP project under consideration in this cumulative scenario:

- Consistent with the policies and strategies of the General Plan, all of the projects are infill development.
- Consistent with adopted City policies and policies embodied in various regional transportation and clean air plans, each of the large cumulative projects (i.e., North San José, Downtown, Evergreen, Coyote Valley, Hitachi, and iStar) include a proposed intensification of development along existing/planned rail corridors.
- Four of the large cumulative projects (North San José, Downtown, Coyote Valley, and Hitachi) include new residential land uses proximate to existing/planned job centers.
- As applicable, each project will be required to include facilities (e.g., showers, bike lockers, transit amenities, pedestrian pathways, etc.) that facilitate use of alternative modes of

transportation.

- The approved North San José Development Policies project includes a comprehensive package of roadway improvements (including upgrades to freeway, expressway, and local street facilities), and a financing plan for their funding. The North San José project is also proposing improvements to the transit system.
- The approved Downtown Strategy 2000 project includes a comprehensive package of roadway improvements, including upgrades to US 101, I-280, and State Route 87 freeway ramps, and local street facilities such as the new Autumn Street connection and Coleman Avenue widening.
- The proposed EEHVS contains a comprehensive package of highway improvements, including upgrades to US 101, White Road, and local intersections.
- The proposed CVSP project would include improvements to interchanges on US 101, new/widened roadways in Coyote Valley, and the widening of Bailey Avenue between Coyote Valley and Almaden Valley. The CVSP would include a fixed guideway BRT system, a Caltrain station, and potentially, the extension of VTA LRT to the valley.

These measures will have the effect of reducing cumulative traffic impacts, compared to that which would occur in the absence of such measures. The measures would not, however, be sufficient to reduce impacts to a less-than-significant level. Given the practical limitations on future roadway expansions, further reductions in cumulative traffic impacts will be largely dependent upon long term changes in the behavior of commuters. Changes in commute behavior (i.e., relying less on single occupant automobile transportation) may, over time, reduce the significant traffic congestion identified in this cumulative impacts analysis. Government actions that encourage use of alternative transportation and discourage reliance on single occupant automobiles, consistent with the City's General Plan and the Countywide Congestion Management Plan, are specific actions that also might be taken to reduce the significant traffic impacts. Such changes will be necessary in order to reduce the overwhelming dependence on single occupant automobile transportation that is the basis of both the project specific and cumulative traffic impact analyses. However, a significant reduction in cumulative traffic congestion is unlikely to occur during the current General Plan horizon.

### **6.3.2.9**            *Conclusions regarding Cumulative Transportation & Traffic Impacts*

Traffic generated by proposed and recently-approved projects will result in significant cumulative transportation and traffic impacts. Based on the analysis in Section 4.2.4, the contribution of the CVSP (both cumulative scenarios) to this significant cumulative impact will be considerable. There are no feasible mitigation measures available for this impact beyond those already included in the project. Therefore a statement of overriding considerations will be required. **[Significant Unavoidable Cumulative Transportation & Traffic Impacts]**

## **6.3.3**            **Cumulative Noise Impacts**

### **6.3.3.1**            *Introduction*

As described at the beginning of this section, the cumulative project sites are located throughout the urbanized area of San José. The existing noise environment of the Greater San José area is defined by typical urban activities, with transportation activities being the single greatest contributor to overall noise. Transportation noise sources include vehicular noise along freeways and arterial streets, rail noise from trains and light rail, and aircraft noise. Noise from aircraft overflights associated with the Mineta San José International Airport affects a large area, extending both to the north and to the south of the airport. The affected area extends from the airport to the south over Downtown San José and to the north over both north San José and portions of the City of Santa

Clara. Noise from aircraft overflights associated with Reid-Hillview Airport affects a much smaller area, generally limited to portions of the Evergreen area.

Noise levels along freeways, expressways, arterials and other streets result from a combination of traffic volumes, speed of the vehicles, and type of vehicles (i.e., percentage of heavy trucks). These variables have differing effects upon sound levels; for example, sound levels may actually be lower with higher volumes of traffic if the traffic is moving slowly in heavily congested conditions. A 26% increase in traffic volume will increase sound levels by one decibel if the speed remains constant. An increase of three decibels or greater is required to be perceived by the human ear; traffic volumes on a given roadway must double to cause a three decibel increase in noise levels, assuming speeds remain constant.

### **6.3.3.2**      *Impacts to Cumulative Projects from Ambient Noise Levels*

At various locations, it is proposed that noise-sensitive land uses (e.g., residences, schools, etc.) would be constructed on sites where existing noise levels exceed the noise/land use compatibility guidelines in the San José General Plan. Such locations include those adjacent to railroads or LRT lines, arterials, expressways, and freeways, beneath or near aircraft flight paths, as well as in the Downtown Core Area.

Where noise-sensitive uses are proposed at locations with elevated ambient noise levels, such impacts are mitigated through the use of noise-reducing building materials (e.g., noise-rated windows, insulation, etc.) and through site design (e.g., setbacks, soundwalls, placing outdoor use areas in areas that are shielded from roadway noise, etc.). The City's existing General Plan policies require that the need for specific mitigation measures be identified during the design review process. The design and inclusion of the mitigation measures for attached residential uses is also verified in conformance with state law prior to issuance of building permits. All attached residential development is required by state law to use construction techniques adequate to achieve 45 DNL interior noise standards.

Existing laws and policies will ensure that interior noise levels meet relevant standards. For many sites, especially those located along major roadways, the existing and anticipated noise levels from traffic will make achieving exterior noise standards difficult. However, General Plan policies require that residential development only be located in high noise locations if outdoor activity areas can be protected, consistent with relevant standards.

**Impact C-NOI-1:**      The cumulative projects would not result in a significant cumulative impact from ambient noise levels, and the proposed project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Impact]**

### **6.3.3.3**      *Impacts to Nearby Uses from Cumulative Project Traffic*

Traffic associated with cumulative development will increase noise along many roadways in the greater San José area. Given the high existing traffic volumes, the noise increase resulting from dispersal of these trips would not be significant along roadways where existing volumes are high (e.g., freeways, expressways, and most existing arterials).

The noise increase associated with increased traffic trips on the roadways would, however, be significant at locations where: 1) new roadways would be constructed; or 2) roadway widening would move traffic closer to adjacent receptors; or 3) traffic volumes would substantially increase in relation to existing volumes. Examples of locations where roadways would be constructed or

widened include Yerba Buena Road/Murillo Avenue in Evergreen and Coyote Valley Parkway and Bailey Avenue/McKean Road in Coyote Valley and Almaden Valley. Examples of locations where increases in traffic volumes will significantly increase noise (between three and six dBA) include segments of Monterey Road, Santa Teresa Boulevard, McKean Road, Harry Road in San José, and Cochrane Road and Butterfield Boulevard in Morgan Hill. CVSP traffic noise level increases would make a considerable contribution towards the overall noise level increase (between one and two dBA).

**Impact C-NOI-2:** Noise level increases resulting from the cumulative projects would be significant and the CVSP project would make a considerable contribution towards that impact. **[Significant Cumulative Impact]**

#### **6.3.3.4** *Cumulative Noise Impacts from Increased Aircraft Operations*

Aircraft-generated noise is primarily a result of the number of aircraft operations (takeoffs and landings) and the noise generated by the aircraft. The new “stage three” aircraft account for significant reductions in sound levels. As a result of quieter aircraft, future sound levels are expected to remain similar to the existing conditions even though a large increase in the number of aircraft operations is expected. It should be noted that there are normal cyclical fluctuations in the number of aircraft operations related to fuel costs, airfare prices, and other events that result in corresponding fluctuations in airport noise levels.

The net effect of the population and jobs increase under the cumulative scenario upon aircraft operations at Mineta San José International Airport (MSJIA) and will be less than the normal cyclical fluctuations in aircraft operations and, therefore, the cumulative noise impacts associated with MSJIA would not be significant. For the same reasons, the cumulative noise impacts associated with aircraft operations at the Reid-Hillview and San Martin Airports are not expected to be significant.

**Impact C-NOI-3:** The cumulative noise impacts associated with aircraft operations at area airports would not be significant, and the proposed CVSP project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Impact]**

#### **6.3.3.5** *Cumulative Construction Noise*

The construction of the cumulative projects would result in short-term noise and disturbance at various locations throughout the City. There are factors that both exacerbate and mitigate the significance of cumulative construction noise. Factors that tend to spread out and diffuse the effects of construction noise include the following: 1) the cumulative project sites are located throughout the City; 2) their schedules for construction are different and are likely to occur over the timeframe of the next 25-50 years; 3) construction noise mitigation is typically included as part of each project, especially major development projects; and 4) all construction projects are temporary; even with multiple projects, the area of greatest impact changes and the types of noise wax and wane as construction proceeds.

Conversely, because of the substantial amount of construction that will need to occur in order to implement the significant amount of proposed development (as well as approved but-not-yet-constructed development), and due to the presence of many of these sites (particularly iStar, Hitachi, and Evergreen) in or adjacent to existing neighborhoods and businesses, there will be a great deal of disturbance occurring over a long period of time very near existing residences and businesses. Such construction will include major upgrades to public infrastructure such as roadways, bridges, utility lines, etc. It is possible that construction may be ongoing in some areas for years, with the effects of

construction noise from demolition, grading, power tools, heavy truck traffic, pile-driving, etc., creating impacts on some neighborhoods for extended and/or repeated periods of time. The close proximity of some of the projects to each other, such as iStar and the recently-approved Hitachi project, would exacerbate some of the impacts, especially projects that involve substantial demolition, grading of large areas, and/or pile-driving.

**Impact C-NOI-4:** The cumulative projects would result in a significant cumulative construction noise impact and the CVSP project would make a considerable contribution towards that impact. **[Significant Cumulative Impact]**

#### **6.3.3.6** *Mitigation for Cumulative Noise Impacts*

Mitigation for noise impacts at existing receptors along roadways frequently consists of the construction of soundwalls along the roadway right-of-way. Soundwalls are effective, however, only where the noise-sensitive land use does not front onto the roadway. At locations where land uses front onto the roadway, soundwalls become impractical due to the gaps needed for driveways and because front yard walls are undesirable for aesthetic reasons. In such cases, mitigation often takes the form of installing upgraded windows, doors, and ventilation to reduce interior noise levels.

Exterior noise impacts may be unavoidable; the San José General Plan acknowledges this situation by stating that the City's noise goals can often not be achieved near major roadways.

It is important to note that, while it is technically feasible, to mitigate many noise impacts adjacent to roadways, such mitigation is frequently not required at the project level because its cost renders it economically infeasible. In addition, since increases in traffic noise are often incremental and are not attributable to just one project, there is no nexus for requiring noise mitigation from a single source. In those circumstances, there is no existing mechanism for mitigating cumulative noise impacts.

Given the extent and variety of projects and the multiple sources of noise, it is unlikely that any mitigation program can reduce the cumulative noise impacts to a less than significant level. While noise impacts of many individual construction projects can be minimized or reduced to a less than significant level, the cumulative impacts of construction noise in areas planned for multiple or very large developments would be significant and unavoidable.

#### **6.3.3.7** *Conclusions regarding Cumulative Noise Impacts*

**Impact C-NOI-1:** The cumulative projects would not result in a significant impact from ambient noise levels because each project would be required to mitigate impacts individually. For this reason, the proposed project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Noise Impact]**

**Impact C-NOI-2:** Long-term noise level increases resulting from the cumulative projects would be significant and would expose people to noise levels in excess of established City or state standards. The CVSP project would make a considerable contribution towards this regional long-term impact. A statement of overriding considerations would be required. **[Significant Unavoidable Cumulative Noise Impact]**

**Impact C-NOI-3:** The cumulative noise impacts associated with aircraft operations at area airports would not be significant because the travel expected from the additional population can be accommodated, and the proposed project would

not contribute towards a significant cumulative impact. [**Less than Significant Cumulative Noise Impact**]

**Impact C-NOI-4:** The cumulative projects would result in a significant cumulative construction noise impact due to the overall amount of construction expected and the CVSP project would make a considerable contribution towards that impact due to the size of the project. Therefore, adoption of a statement of overriding considerations will be required. [**Significant Unavoidable Cumulative Noise Impact**]

### **6.3.4 Cumulative Air Quality Impacts**

#### **6.3.4.1 *Introduction***

In order to satisfy the requirements of both State and Federal legislation, the Bay Area Air Quality Management District (BAAQMD) prepared the Clean Air Plan (CAP) and 2005 Ozone Strategy that is based on quantified analysis. This analysis includes an estimate of the amount of air pollution that will be generated by various sources, especially vehicular traffic. The estimates of traffic are based on the General Plans for all of the jurisdictions within BAAQMD's air basin.

The CAP also identifies what measures will be implemented to reduce the pollution to levels that are consistent with the state and federal laws during the mandatory time frames (i.e., by the designated target date). The mitigations include upgraded engines and fuels, along with the planning policies required to be in cities' general plans to achieve CAP conformance.

As discussed in Section 4.4.3 of this EIR, BAAQMD identifies thresholds of significance to be used in evaluating the likely air quality impacts from proposed General Plan amendments. If a project is consistent with the population projections in the version of the General Plan that was used to prepare the CAP, then it can be assumed that the project will not result in long term air quality impacts that cannot be mitigated through implementation of the mitigation measures that are in the CAP and in the General Plan.

If growth in population is greater than assumed in the CAP emission inventory, then population-based emissions also are likely to be greater than assumed in the CAP and the analysis done for the CAP is not relevant. Consequently, if attainment of the State air quality standards could be delayed, the project is inconsistent with air quality planning for the region, and will have a significant air quality impact.

#### **6.3.4.2 *Cumulative Air Quality Impacts***

As described previously in Section 4.4.3.2, the proposed CVSP project will result in population growth that will exceed that projected by the current General Plan. It is anticipated that increases in population associated with the CVSP would be approximately 70,000 to 80,000 residents (see Table 58). In addition, a review of the cumulative projects listed in Table 6.0-1 indicates that many would increase residential densities or change existing land use designations from non-residential to residential. If approved, these General Plan amendments would further increase San José's population beyond that projected in the current General Plan.

It is also important to note that the City recently amended its General Plan (in June 2005) to allow a future increase of approximately 37,600 dwelling units and 113,600 jobs in San José. This growth would be located in North San José, Downtown San José, and on the Hitachi property in South San

José. The population that would result from the new dwelling units is not accounted for in the current CAP.

As discussed elsewhere in this EIR, much of the existing traffic congestion in Santa Clara County and the region is the result of the concentration of jobs in northwestern Santa Clara County and the existence of substantial quantities of housing in the eastern and southeastern areas of the County. Air pollution in the region is primarily the result of vehicular traffic, so land use planning that increases the length and number of vehicle trips and the amount of traffic congestion would add to air pollution. Land use planning that reduces numbers of trips and/or trip lengths, and/or that reduces existing congestion, would reduce air pollution.

Many of the new dwelling units and many of the new employment uses included in this cumulative scenario are proposed on infill sites, meaning locations that are within the existing built urban area and are served by existing infrastructure. Further, consistent with the objectives of the CAP and the City's General Plan, a number of the projects being considered under the cumulative scenario are, to varying degrees, intensifying development along existing and planned rail transit corridors. The recently-approved North San José Development Policies project is served by the Guadalupe, Tasman, and Capitol LRT lines. The recently-approved Downtown San José Strategy 2000 project is served by LRT and Caltrain, and is proposed to be served by the planned extension of BART. One of the Evergreen opportunity sites, the Arcadia property, is located adjacent to the planned Capitol Corridor LRT extension. The Hitachi and iStar sites are adjacent to two LRT stations and a Caltrain station. A Caltrain station is planned for Coyote Valley.

Some of the projects are proposed as redevelopment, the replacement of existing urban uses with newer, more intensive urban development. This is particularly true of the intensified development proposed for North San José and on the Hitachi property. The iStar site is immediately adjacent to Hitachi and is at an infill location, but is vacant and therefore not a redevelopment opportunity.

Depending on the numbers and specific location (including access to transit and proximity to employment), placing housing in the northern parts of the County will create fewer and shorter peak hour commute trips and less resultant air pollution. Similarly, locating jobs in the southern part of the County will generally create shorter commute trips. There would still be increased traffic with any new development, but to the extent that new housing is located proximate to both jobs and support uses (such as commercial development), the new traffic and air pollution created, especially peak hour traffic, is less than would be the case otherwise.

The approved North San José and Downtown projects allow a substantial increase in the number of jobs planned in those locales, as well as an increase in the number of dwelling units near those jobs. The land use designations also allow commercial development to support both the employment and residential uses. The location of these complementary land uses will generate substantially less traffic and air pollution than would occur if the uses were located at separate locations, but there will still be some increased peak hour traffic and increased air pollution that will occur.

The approved Hitachi project will locate housing and commercial uses near the existing and planned employment of the Edenvale Redevelopment Area, but the traffic from that new residential development will contribute to the peak travel direction in the region and will increase both peak hour congestion and air pollution.

The EEHVS would replace the previously planned industrial uses on the Berg/IDS and Legacy Partners properties, which will significantly exacerbate existing patterns of congestion, both adding residential trips to peak directions and removing the possibility of future jobs that could reduce peak traffic, and contributing to traffic-generated air pollution.

The iStar General Plan amendment would introduce a substantial amount of commercial development on land previously designated primarily for employment uses. The employment represented by these commercial uses would not contribute to the primary peak hour movements, but will generate increases in traffic overall, and will contribute incrementally to peak hour congestion and associated air pollution.

The addition of substantial quantities of housing in mid-Coyote Valley, while proximate to the planned jobs in the same area, would also contribute significant quantities of new residential traffic to existing peak traffic movements and the generation of regional air pollution.

The cumulative effect of implementing all of the proposed projects, as well as those recently approved, would be to substantially increase the population of the City of San José beyond the numbers projected in the CAP. As discussed in Section 6.3.2, *Cumulative Traffic Impacts*, there would be substantial increases in traffic congestion and in VMT and VHT in the San José Sphere of Influence. While the effect of increasing the population within San José will be to increase the air pollution generated in the Bay Area, it should be kept in mind that housing the County work force within the County is ultimately more beneficial than encouraging residential development at more distant locations, particularly through the development of agricultural land in San Benito, Santa Cruz, and Monterey Counties and in the San Joaquin Valley. Nevertheless, the effect of implementing all of these projects would be a lack of conformance with the CAP and a cumulatively significant increase in air pollution. The CVSP project would make a significant contribution towards the significant impact.

**Impact C-AQ-1:** The impact of implementing all of the cumulative projects would be a lack of conformance with the CAP and a cumulatively significant increase in air pollution. The proposed CVSP project would make a significant contribution towards this significant cumulative impact. **[Significant Cumulative Impact]**

### **6.3.4.3**      *Mitigation for Cumulative Air Quality Impacts*

The City's adopted General Plan includes all of the Transportation Control Measures (TCMs) identified in the BAAQMD Guidelines that can be implemented by a local government. Goals and objectives for all of the major projects evaluated in this cumulative section include designing for transit access where such design is feasible. As development is proposed, the City evaluates specific development design for consistency with the General Plan policies.

The CVSP project would include high density development adjacent to a planned Caltrain Station. The CVSP project includes bus stops, sidewalks, bike racks, pathways, etc. that are compatible with alternative transportation modes (including walking and bicycling). It also includes shuttle bus service between the industrial development and regional transit centers and an internal fixed guideway BRT system. All of these measures are consistent with the BAAQMD Guidelines for reducing long term air quality impacts, and with the provisions of the CAP.

While there are no specific measures identified that would reduce air quality impacts to a less than significant level, the CVSP includes all feasible measures to reduce long-term air quality impacts, including transit and pedestrian-oriented mixed use development. While the cumulative projects would not be consistent with the population projections in the current CAP, the inclusion of TCMs and design measures to support alternative transportation modes and the provision for improvements to the existing transit system are consistent with CAP policies. The project's contribution to the cumulatively significant air quality impacts will remain significant and unavoidable.

#### **6.3.4.4**      *Conclusion regarding Cumulative Air Quality Impacts*

**Impact C-AQ-1:**      The cumulative projects, which include the CVSP, will increase the City's population beyond that anticipated in General Plan, inconsistent with the CAP, which will result in a significant impact on regional air quality. The CVSP project would make a significant contribution to the significant air quality impact. There are no feasible mitigation measures beyond those already incorporated into each project. Therefore, a statement of overriding considerations will be required. **[Significant Unavoidable Cumulative Air Quality Impact]**

#### **6.3.5**      **Cumulative Cultural Resources Impacts**

##### **6.3.5.1**      *Cumulative Effects on Archaeological Resources*

The entire San José area has a potential for containing subsurface prehistoric and historic archaeological resources, particularly near the channels of the Guadalupe River, Coyote Creek, and their tributaries. While a portion of the cumulative project area has already undergone some type of development, impacts to subsurface cultural resources could still occur during ground disturbing and excavation for future development of vacant sites as well as during redevelopment of urban sites.

Prehistoric archaeological sites have been recorded within the northern and mid-Coyote Valley areas, which contains Coyote and Fisher Creeks. These recorded sites include pre-historic and American Period (post-1850) archaeological resources, some of which have been found to be eligible for inclusion on the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR). Native American resources include a former major village site and other habitation locations.

There are no recorded archaeological sites or reported cultural resources located within or adjacent to the iStar project site, and there is a potential for archaeological resources in the Evergreen area on portions of each of the opportunity sites. The Flea Market site is situated in an area of high archaeological sensitivity and grading and excavation of the site could result in the exposure or destruction of subsurface archaeological resources. Many of the other cumulative project sites listed in Table 6.0-1 are located near the Guadalupe River, Coyote Creek, or their tributaries. These sites are considered to have a moderate to high potential for subsurface archaeological resources.

The recently-approved North San José Development Policy Project area is bordered by the Guadalupe River and Coyote Creek. Eighteen prehistoric archaeological sites, one isolated prehistoric find, two reported but unrecorded prehistoric resources and two Native American ethnographic villages/settlements are known to be present in that area. Prehistoric archaeological resources in North San José are generally classified as midden sites formed through extensive and intensive human occupation which modified the natural soil. Native American burials are often present in these deposits. These sites include former mounds now straddling the Guadalupe River, as well as sites covered with up to four feet of sediments. There are also several unrecorded locations of reburied skeletal remains.

The recently-approved Downtown San José Strategy 2000 Project area contains the Guadalupe River and is considered to have a moderate-to-high likelihood of containing prehistoric archaeological deposits, as well as a high likelihood of containing historic archaeological deposits. The Downtown Area, as a whole, also has a high likelihood of prehistoric and historic archaeological resources.

When an archaeological resource is listed in, or eligible to be listed in, the CRHR, Public Resources Code §210874.1 requires that any substantial adverse effect to that resource be considered a significant environmental effect.

If prehistoric or historic archaeological sites are encountered during any of the cumulative project's construction and proper mitigating procedures are not implemented, a significant impact to the resource will result. However, the City of San José General Plan's Goals and Policies for Archaeological and Cultural Resources recognize the irreplaceable nature of cultural resources, and require that preservation should be a key consideration in the development review process. Each of the cumulative projects will include the City's standard mitigation measures for reporting and evaluating cultural resources, in the event such resources are found during project development.

Reporting and evaluation requirements would be in accordance with current archaeological standards (e.g., Archaeological Resource Management Reports: Recommended Contents and Format, California Office of Historic Preservation, Preservation Planning Bulletin 4(a); any internal City of San José reporting standards for cultural resources reports including Guidelines for Historic Reports) and evaluation criteria (e.g., NRHP, CRHR, City of San José Historic Resources Inventory guidelines).

**Impact C-CR-1:** Each of the cumulative projects would be required to conform to state law and City of San José policies for mitigation of impacts to archaeological resources. Therefore, it is concluded that the cumulative development will not result in a cumulatively significant impact to archaeological resources, and the proposed project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Impact]**

### **6.3.5.2** *Cumulative Effects on Historic Resources*

As San José has grown and evolved over the last 50 years, many of the residential and industrial neighborhoods have been divided, reduced and replaced by business development, roadway construction, and development of multi-family residences. This continual development in San José has resulted in the loss or relocation of many historic structures, both residential and commercial/industrial. The cumulative loss of historic structures is of great consequence. The overall historical context of San José is degraded every time a historic structure, regardless of use, is lost or incongruously relocated. The cumulative projects included in this evaluation result in impacts to historic resources as described below.

None of the existing structures on the iStar site are currently listed on the CRHR or the NRHP. One structure on the site, the dehydrator building, is not currently listed in the City of San José's Historic Resource Inventory, but has been evaluated and is considered eligible for listing as a Candidate City Landmark, as well as potentially eligible for inclusion in the CRHR and the NRHP. It is not known at this time whether iStar proposes to retain or demolish the dehydrator building. Impacts to the dehydrator would result in a significant impact to historic resources. The Hitachi project proposes to demolish historic structures that contribute to a potential historic district, resulting in a significant unavoidable impact.

The Flea Market is historically significant due to its association with eras and events of cultural interest and value that contribute to local and regional history, heritage, and culture. The loss of this resource is significant and unavoidable. The EEHVS would have no impact to any resources of historic or architectural significance.

CVSP-area resources from the American Period (post-1850) include the Hamlet of Coyote, farmsteads/ranches, residential, commercial and public properties, transportation-related and water control features, wineries, and quarries. The CVSP area includes a range of resource types such as farmsteads that may be eligible for the CRHR, NRHP, and as City of San José Landmarks. Future development and redevelopment of properties within the CVSP that contain historically significant architectural resources are assumed to include the preservation and protection of such resources. Therefore, impacts to historic resources as a result of implementation of the CVSP would be less than significant.

General Plan and adopted Council policies related to historic resources strongly encourage the protection and adaptive reuse of significant historic structures. Because these policies provide for protection of the resources, and would characterize loss of significant historic structures as a significant impact, the programmatic analysis in the San José Downtown Strategy Plan 2000 and North San José Development Policies Update EIRs assumes that any structures that are found to be historic resources, as defined by CEQA Guidelines §15064.5(a), will be preserved or otherwise protected from demolition and any substantial adverse change in their historic significance. Proposals to alter such structures must include a thorough and comprehensive evaluation of the historic significance of the structure and the economic and structural feasibility of preservation and/or adaptive reuse. Any future development that proposes removal or substantial adverse change in the historic significance of such resources would require preparation of a supplemental EIR.

In addition to the cumulative projects described in Table 6.0-1, two recent developments in the Downtown Core and Midtown areas of the City resulted in significant unavoidable impacts to historic resources. The proposed KB Home *Monte Vista Residential* project demolished Del Monte Plant #3, one of seven remaining historic cannery sites in the City, which is listed on the City's Historic Inventory and has been found to meet the criteria for listing in the NRHP under Criterion A, as contributing structures to a non-contiguous historic district pertaining to the food processing and canning industries of the Santa Clara Valley. A section of the complex also appeared to meet the criteria for listing on the NRHP under Criterion C (Architecture) and appeared to be eligible for City Landmark status. The Downtown Core *47 Notre Dame Residential* project demolished the former Palomar Ballroom, which was considered eligible for both the NRHP and CRHR based on its social significance to the Chicano/Latino community in San José and was a candidate city landmark. Every effort should be made to incorporate existing landmark structures into the future plans for their site and the surrounding area. If impacts to properties meeting the definition of historical resources are identified, the City shall ensure that the project plans follow the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary's Standards). Pursuant to CEQA Guidelines §15064.5(b)(3), if the project plans conform to the Secretary's Standards, then potential impacts to historical resources will be considered less than significant and/or exempt from environmental review.

The cumulative projects evaluated in this discussion would result in significant impacts to historic resources. The resources that would be affected by these projects are generally distinct. They are geographically separated and do not represent the same type of development. Two of the projects may result in impacts to resources representing the same period in the City's history (e.g., the iStar dehydrator may have both period and use/association in common with resources in Coyote Valley). While the individual impacts do not combine to create a cumulative impact of greater severity upon any one historic period or type of resource, the cumulative loss of historic structures is significant. Because the CVSP project does not include the loss of historic structures, it would not make a significant contribution towards a significant cumulative impact.

**Impact C-CR-2:** The combined impacts to historic resources as a result of full implementation of the proposed cumulative projects, in addition to past projects, would result in a cumulatively significant loss of historic resources. The proposed CVSP would not make a substantial contribution towards this cumulatively significant impact. **[Less Than Significant Cumulative Impact]**

### **6.3.5.3** *Conclusion regarding Cumulative Impacts to Cultural Resources*

**Impact C-CR-1:** The cumulative projects would not result in significant impacts to archaeological resources. **[Less than Significant Cumulative Cultural Resources Impact]**

**Impact C-CR-2:** The cumulative projects would result in significant impacts to historic resources. The proposed CVSP would not contribute to cumulatively significant impact. The proposed CVSP would not make a substantial contribution towards this cumulatively significant impact. **[Less Than Significant Cumulative Cultural Resources Impact]**

## **6.3.6** **Cumulative Biological Resources Impacts**

### **6.3.6.1** *Introduction*

Approval and implementation of the cumulative projects listed in Table 6.0-1 would directly affect development on over 4,700 acres of land of the City of San José. The cumulative project sites are shown on Figures 6.0-1-3. Of the overall cumulative development area, approximately 3,850 acres are currently undeveloped; that is, they are either in agricultural production, fallow, vacant lots, or are in a natural state and provide a higher level of biological habitat than urbanized property. Currently, of the 3,850 undeveloped acres, approximately 114 acres are a golf course, 222 are non-urban hillside, and 3,500 are the CVSP Development Area.

Impacts to biological resources will result from the cumulative development of virtually all vacant land within the City limits that is not specifically designated for an open space use.

In addition to the cumulative projects listed in Table 6.0-1, another project/activity that should be noted in this discussion of cumulative biological resource impacts is the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). The City of San José, County of Santa Clara, Santa Clara Valley Transportation Authority (VTA), cities of Morgan Hill and Gilroy, and Santa Clara Valley Water District (SCVWD) have initiated a collaborative process to prepare and implement a countywide HCP/NCCP. These Local Partners, in partnership with the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), National Oceanic and Atmospheric Administration (NOAA Fisheries) and other resource agencies and stakeholder groups will develop a long-range plan in specified areas of the County where land development activities and the continued survival of endangered, threatened, or other species of concern are in conflict. The goal of this plan is to provide the means for conservation of these species, thereby contributing to their recovery while, at the same time, allowing for compatible and appropriate development to occur. At this time, the complete list of projects ("covered activities") to be covered by the HCP/NCCP is not known. The SCVWD may use the HCP to cover on-going flood control maintenance activities in various waterways. No large-scale water storage or flood control projects are being considered at this time. The HCP may also include consideration of the VTA's Highways 152/156 interchange improvements project. City projects would generally include various public and private activities to implement the San José 2020 General Plan.

### 6.3.6.2 *Cumulative Impacts to Sensitive Plant and Animal Species*

Sensitive plant and animal species (other than the Burrowing Owl, described below) are not present on any of the following sites: EEHVS, iStar, Flea Market, North San José Development Policies, San José Downtown Strategy2000, or Hitachi. The only sites in Table 6.0-1 with a potential to impact these species are the CVSP project and the 222-acre GP04-10-01 site.

Serpentine grassland comprise open areas dominated by native and non-native grasses underlain by serpentine soils. This habitat type is host to a variety of sensitive plant species. Small fragmented areas of serpentine grassland exist within the western portion of the CVSP Development Area, and more expansive areas are present west of the CVSP area in the vicinity of the 222-acre GP04-10-01 site (Site 44 on Figure 6.0-3) and the Bailey-over-the-Hill roadway alignment area. There is a moderate to high potential that two federal endangered plant species (Santa Clara Valley dudleya and Metcalf Canyon jewelflower) and a rare (CNPS list 1B) plant, most beautiful jewelflower, could be present in these areas. Development of the cumulative projects may impact these sensitive plant species.

Survey data suggests that California tiger salamander (CTS), a federal threatened species, breed in ponds west of Coyote Valley and estivate in the hills surrounding the ponds. CTS have been identified and/or suitable habitat exists in the ponds, irrigation channels, and stockponds in the CVSP project area, within the Bailey Over-the-Hill area, as well as in Fisher Creek and its tributaries. The estivation habitat includes the 222-acre, GP04-10-01 site, of which approximately 165 acres would be affected under the proposed General Plan amendment. Development affecting CTS breeding and/or estivation habitat would result in a significant biological impact.

Bay checkerspot butterflies are known to occur on the serpentine hillsides east, west, and north of Coyote Valley. Critical habitat for the bay checkerspot butterfly was designated by the USFWS in 2001, and seven critical habitat units surround Coyote Valley. While surveys of some of the CVSP project area have observed no evidence of butterfly larval host plants (dwarf plantain) or adult butterfly nectar plants, there is a moderate potential for the butterfly to be present and be affected by development of the Bailey Over-the-Hill roadway alignment and development of GP04-10-01.

The impacts to sensitive plant and animal species described above could result from build-out of the CVSP (which includes the Bailey over-the-Hill roadway extension), and development of GP04-10-01, in a geographically distinct area separate from the remainder of the cumulative projects. Since the other projects on the cumulative list would not contribute to these impacts, these project-specific impacts are not considered to result in a significant cumulative impact. Indirect impacts are discussed below. Therefore, in accordance with CEQA Guidelines §15130(a)(1), there would be no cumulative impacts to sensitive plant and animal species (other than the Burrowing Owl, described below), as it relates to the CVSP.

**Impact C-BIO-1:** The cumulative projects would not result in significant impacts to special status plant and animal species, and the proposed CVSP project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Impact]**

### 6.3.6.3 *Cumulative Impacts to Burrowing Owl Habitat*

Development of the cumulative projects, as well as the recently-approved North San José Development Policies and Hitachi projects, will result in the loss of native and non-native grassland habitat and active and fallow agricultural land throughout the City, some of which is either occupied or potential burrowing owl breeding and foraging habitat. Development of the cumulative projects would result in the loss of a total of approximately 1,246 acres of potential burrowing owl habitat, including the CVSP (approximately 1,130 acres), iStar (35 acres), and EEHVS (81 acres) projects. Potential habitat exists and Burrowing Owls may be found on approximately 100 acres of the Hitachi project site. The North San José Development Policies project would result in the loss of approximately 650 acres of Burrowing Owl habitat. The development of virtually all large pieces of vacant land in the City, as proposed by the cumulative projects, will result in significant cumulative impacts to burrowing owls and their habitat.

**Impact C-BIO-2:** The cumulative projects would result in significant impacts to Burrowing Owl habitat. The CVSP project would make cumulatively considerable contribution towards the cumulative impact. **[Significant Cumulative Impact]**

### 6.3.6.4 *Cumulative Impacts to Wetlands and Riparian Habitat*

Wetlands provide critical habitat for a variety of endangered plant and animal species. They also serve a fundamental role in mitigating urban runoff by filtering out pollution before it runs into the ocean and streams and by buffering rising waters due to floods or high tides. Riparian areas in central California support rich and diverse wildlife habitat, including breeding, nesting and foraging habitat for endangered and more common animal and bird species. Riparian corridors that connect natural areas such as the Baylands and the hillsides surrounding Santa Clara County are also wildlife corridors.

Potential impacts to wetlands and riparian habitat from the cumulative projects include direct impacts and indirect impacts, as described below.

#### **Direct Impacts**

Direct impacts fill or remove wetland habitat, and typically occur from filling of wetlands to create more developable area, and construction of bridges, stormwater outfalls, and other infrastructure improvements, or in the case of the CVSP project, it creates new habitat with enhanced functions and values.

Build-out of the CVSP is estimated to result in permanent impacts to approximately 82 acres of wetland and riparian habitat through the realignment of Fisher Creek, filling of individual development sites, and construction of bridges and storm drain outfalls. With the exception of the CVSP project, development of the cumulative projects may require construction of bridges, storm drain outfalls, or other infrastructure that may result in minor filling of wetlands; but no other major filling of wetlands is anticipated to result from the cumulative projects.

Direct impacts to wetlands are regulated by law, as each project complies with a host of federal, state and regional permit requirements, including requirements of the U.S. Army Corps of Engineers, CDFG, and the Regional Water Quality Control Boards (RWQCBs). Each of these permitting authorities requires mitigation for the loss of wetland habitat. Mitigation for filling of wetlands typically requires provision of replacement wetland habitat at between a 1:1 (mitigation acreage: impact acreage) to a 3:1 ratio, depending upon the habitat value of the lost wetland acreage.

RWQCB also requires mitigation, based upon the stream length impacted by a project. Mitigation is generally provided on-site or the project is redesigned to avoid impacts.

For sites with wetland habitat, compliance with permitting requirements and implementation of mitigation measures, such as those described above, would be required on a project-by-project basis to avoid or reduce wetlands impacts to a less than significant level.

**Impact C-BIO-3:** The projects considered in this cumulative scenario would not result in a significant cumulative direct impact to wetlands and riparian habitat, and the proposed project would not make a substantial contribution towards a significant cumulative impact. **[Less than Significant Cumulative Impact]**

### **Indirect Impacts**

The use of wetland and riparian habitats is adversely affected by the proximity of human activity and the placement of structures. The quality of the riparian habitat and type of structures or activities adjacent to it determines the overall effect on wildlife use. In general, the greater the amount of human activity and the closer that activity occurs to riparian areas, the greater the potential for negative impacts to wildlife use. Indirect impacts can result from siting urban development too close to wetlands or a riparian corridor, where human activity creates light, noise, or other disturbances (e.g., introduction of predatory domestic pets or people into the creek or wetland) that disturb animals or birds such that their breeding or nesting is adversely affected.

It is generally desirable, therefore, to minimize human activities adjacent to riparian habitats. This need to reduce human use has led to the development of the setback or buffer concept along riparian areas as an attempt to reduce impacts to riparian areas. While empirical evidence exists to support the concept that wildlife values of the riparian corridor can be compromised by adjacent human activity, little empirical data presently exists for the establishment of a precise setback area.

Nevertheless, riparian setbacks of up to 100 feet are often recommended by CDFG as appropriate for streams with high quality riparian habitat. These setbacks are typically measured from either the top of the bank or the outer edge of riparian vegetation, whichever is greater. In addition, the City's Riparian Corridor Policy Study indicates that "development adjacent to riparian habitats should be set back 100 feet from the outside edge of the riparian habitat (or top of bank), whichever is greater."

Many of the cumulative projects include large setback buffers that will avoid and/or reduce impacts to riparian habitat and the wildlife that uses such habitat. The North San José Development Policies Project EIR assumes that future development will observe riparian setbacks of at least 100 feet along the Guadalupe River and Coyote Creek, within which minimal human use and disturbance will be allowed. Any development proposal that encroaches within the 100-foot riparian setback will require additional CEQA review. All EEHVS development will observe a 100-foot riparian setback from Evergreen Creek and a 50-foot setback from Fowler Creek. The reach of Fowler Creek that crosses the Berg/IDS property is devoid of riparian habitat and the 50-foot setback is considered sufficient to avoid impacts. Similarly, development of the CVSP would be required to observe a 100-foot riparian setback from Coyote Creek and relocated and restored Fisher Creek.

The City's Riparian Corridor Policy will guide the provision of setbacks for any San José Downtown Strategy 2000 Plan redevelopment along the Guadalupe River or its tributaries, as well as future development allowed by the remaining General Plan amendments included in this cumulative analysis. Through conformance with the Riparian Corridor Policy, these projects would not result in significant impacts to riparian habitat.

**Impact C-BIO-4:** As described above, if the cumulative projects conform to the City's Riparian Corridor Policy by providing 100-foot riparian setbacks to avoid and reduce indirect impacts to riparian habitat and wildlife, then cumulative indirect impacts to wetland and riparian habitat can be avoided or reduced to less than significant levels. **[Less than Significant Cumulative Impact]**

#### **6.3.6.5** *Cumulative Impacts to Trees*

The City of San José promotes the health, safety, and welfare of the City by regulating the removal of ordinance trees on private property. Ordinance-size trees are defined as trees over 56 inches in circumference at a height of 24 inches above natural grade. The removal of mature trees detracts from the scenic beauty of the City; reduces the biological diversity of species living within the City's Urban Service Area; causes erosion of topsoil and degradation of water quality in the creeks and Bay; creates flood hazards; increases the risk of landslides; reduces property values; increases the cost of construction and maintenance of drainage systems through the increased flow and diversion of surface waters; and eliminates one of the prime oxygen producers and prime air purification systems in this area. The City also recognizes Heritage Trees if they meet certain age, size, species or historic criterion.

Development of the cumulative projects, as well as the recently-approved Hitachi, North San José, and Downtown San José projects, will result in the loss of thousands of mature trees, including native trees, orchard trees, and landscape trees. Build-out of the Hitachi project alone is expected to remove approximately 1,023 ordinance-size trees (approximately half of which are native species) and 4,514 non-ordinance-size trees from the site. Most of the trees on the iStar property, which contains 2,330 trees, 55 of which are ordinance-size, may be removed by future development. Implementation and development of the EEHVS and CVSP projects may result in the total loss of over 3,888 native and non-native ordinance-size trees, if the trees cannot be retained.

The redevelopment of North San José and the development of Coyote Valley with high intensity, transit-oriented development will require removal of most of the trees on individual sites. Underground parking, very high residential densities, convenient access for pedestrians and transit frequently includes very high site coverage, and reduces the flexibility of site design. Coyote Valley still contains substantial numbers of native trees. Most of the trees in North San José, however, are non-native landscape trees, which provide generally lower habitat values, although they still contribute to improved air quality and provide some habitat value, especially for migratory birds.

Any proposal to remove trees for a development project would be evaluated, taking into consideration the number, age, size, condition and species of the trees as well as the feasibility of retaining or relocating the trees. The loss of a large number of these trees would be a significant impact. Individually significant trees, whose loss could not be mitigated by replacement planting, may be required to be moved. Most of the major projects proposed will have significant tree impacts.

**Impact C-BIO-5:** The cumulative effect of the removal of thousands of existing mature trees, many of which are native species, will be cumulatively significant, and the proposed CVSP project would contribute towards a significant cumulative impact. **[Significant Cumulative Impact]**

### **6.3.6.6** *Cumulative Disturbance to Active Raptor Nests and Occupied Owl Burrows during Project Construction*

As described in Section 4.6, raptors (e.g., eagles, hawks, and owls) and their nests are protected under both federal and state regulations. Construction disturbance of active raptor nests during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a "taking" by the CDFG. Furthermore, the destruction of occupied Burrowing Owl burrows is also considered a taking. Any loss of fertile eggs, nesting raptors, any activities resulting in nest abandonment, or the destruction of occupied Burrowing Owl burrows would constitute a significant impact. This significance criteria would apply to White-tailed Kites, Cooper's Hawks, Red-Shouldered Hawks, Red-Tailed Hawks, Loggerhead Shrikes, Burrowing Owls, and other birds of prey, many of which are known to nest within the cumulative projects' areas. Construction activities such as tree removal and site grading that disturb a nesting raptor on a specific site or immediately adjacent to the specific site would constitute a significant impact.

Raptors are known to nest in mature trees and sometimes on buildings. Mature trees are present on developed and vacant properties on the cumulative project sites. Since development and redevelopment at the levels of intensity proposed by the cumulative development projects will leave very little of these sites in a natural state, it is likely that a number of trees harboring raptors and their nests will be removed. The destruction of occupied raptors' nests in the trees would be a significant impact. The magnitude of this impact would vary on a project-by-project basis, dependent on the number of trees present on the various sites. See the above discussion regarding the number of trees on the cumulative project sites.

Likewise, destruction of a burrow occupied by a Burrowing Owl, whether during the nesting season or otherwise, would constitute a violation of the Migratory Bird Treaty Act and the Fish and Game Code. As the remaining viable habitat has diminished, Burrowing Owls have been found in marginal habitat locations, including landscape islands and in parking strips. The destruction of an occupied nest or of an individual bird, no matter where the nest is located, would be a significant impact.

**Impact C-BIO-6:** The cumulative projects would result in significant impacts to raptors and their nests, and the proposed CVSP project would contribute significantly towards that significant impact. [**Significant Cumulative Impact**]

### **6.3.6.7** *Mitigation for Cumulative Biological Resources Impacts*

#### **Mitigation for Cumulative Impacts to Burrowing Owl Habitat**

Mitigation for the cumulative loss of Burrowing Owl habitat could include the establishment of a County-wide program to set aside one or more large area(s) of publicly owned, permanent open space and improve this habitat for use by Burrowing Owls, as described in Section 4.6.4. Each individual project resulting in a loss of Burrowing Owl habitat could contribute to the improvement and maintenance of this permanent habitat through the payment of an impact fee. The level of required participation by each new development project could be assessed, based on a reasonable relationship to the individual development's contribution to the cumulative loss of Burrowing Owl habitat. Through such a mitigation program, permanent, good quality habitat for Burrowing Owls could be retained in perpetuity at locations deemed appropriate by biologists. There is currently no established program.

In the absence of replacement habitat to offset the loss of the remaining Burrowing Owl habitat in the area, the development proposed as part of the CVSP in combination with the other cumulative projects would result in a cumulatively significant, unavoidable loss of Burrowing Owl habitat.

### **Mitigation for Cumulative Impacts to Trees**

On a cumulative basis, the loss of mature, native trees cannot, in the short-term, be mitigated to a less than significant level by replacing them with new trees. Native tree species have a higher biological value than non-native trees, because they are adapted for long-term survival in California's soils and climate, are more resistant to insects and disease than are non-native tree species, and provide superior habitat for a wide range of wildlife. In the circumstances that would result from simultaneous and ongoing implementation of all of the recently-approved and proposed projects, thousands of native and non-native trees would be removed citywide - literally from one end of the City to the other.

While replacement planting would be included in the future development and redevelopment projects to reduce the long-term effects of habitat loss from tree removal, the loss of mature trees, particularly native trees, resulting from development of all of the cumulative projects would result in a cumulatively significant biological impact for which there is no effective mitigation in the short-term.

### **Mitigation for Cumulative Impacts to Individual Nesting Raptors and Burrowing Owls**

The following mitigation for cumulative impacts to nesting raptors and owls is the same as that included as part of the CVSP for project-specific impacts (see Section 4.6). To comply with federal and state laws, these measures are part of all projects approved in San José on sites where these resources could be present.

In conformance with federal and state regulations regarding protection of raptors, appropriate surveys for Burrowing Owls following CDFG protocols will be completed prior to any development occurring on sites with foraging or nesting habitat for Burrowing Owls, or prior to redevelopment occurring on sites identified as having potential burrowing owl habitat. Likewise, preconstruction surveys for nesting raptors will be conducted on proposed development or redevelopment sites with mature trees.

If surveys confirm that a site is occupied habitat, or that a nest exists that could be disturbed by proposed development, then additional mitigation measures to minimize or avoid impacts to the individual raptors, their occupied burrows or nests, would be identified and implemented. Implementation of pre-construction surveys and establishment of construction-free buffers, in the event raptors or active owl nests are present, will avoid project impacts and avoid a significant cumulative impact to raptors.

#### **6.3.6.8**      *Conclusions regarding Cumulative Biological Resources Impacts*

**Impact C-BIO-1:**      The cumulative projects would not result in significant impacts to special status plant and animal species, and the proposed CVSP project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Biological Resources Impact]**

- Impact C-BIO-2:** The cumulative projects would result in significant impacts associated with the loss of Burrowing Owl habitat. In the absence of replacement habitat, the development proposed in the cumulative condition would result in a cumulatively significant, unavoidable loss of Burrowing Owl habitat. The proposed CVSP project would significantly contribute to this impact. **[Significant Unavoidable Cumulative Biological Resources Impact]**
- Impact C-BIO-3:** The projects considered in this cumulative discussion would not result in a significant cumulative direct impact to wetlands and riparian habitat, and the proposed CVSP project would not make a substantial contribute towards this significant cumulative impact. **[Less than Significant Cumulative Biological Resources Impact]**
- Impact C-BIO-4:** If the cumulative projects conform to the City's Riparian Corridor Policy by providing 100-foot riparian setbacks to avoid and reduce indirect impacts to riparian habitat and wildlife, then cumulative indirect impacts to wetland and riparian habitat can be avoided or reduced to less than significant levels. In this case, the proposed CVSP project would make a considerable contribution to this impact. **[Less than Significant Cumulative Biological Resources Impact]**
- Impact C-BIO-5:** The cumulative effect of the removal of thousands of existing mature trees, many of which are native species, will be cumulatively significant. There are no feasible mitigation measures to reduce this impact. The proposed CVSP project would make a substantial contribution to this significant cumulative impact. **[Significant Unavoidable Cumulative Biological Resources Impact]**
- Impact C-BIO-6:** The cumulative projects would result in significant impacts to raptors and their nests, and the proposed project would contribute significantly towards that significant impact. Significant cumulative impacts to nesting raptors and nesting owls will be mitigated by measures to be undertaken by each project, such measures required by federal and state law; and therefore, the CVSP project would not make cumulatively considerable contribution towards the cumulative impact. **[Less than Significant Cumulative Biological Resources Impact with Mitigation Incorporated]**

### **6.3.7 Cumulative Geology Impacts**

#### **6.3.7.1 *Introduction***

San José is part of the seismically-active coastal area of California. The area is classified as Seismic Zone 4, the most seismically-active in the United States. The region is subject to strong ground shaking resulting from earthquakes occurring along the San Andreas Fault system, which includes the Hayward Fault and Calaveras Fault zones. The most recent large earthquake to affect the area was the 1989 Loma Prieta Earthquake, which measured 6.9 on the Richter Scale. The Working Group on California Earthquake Probabilities has estimated that there is a 62% probability of a large (i.e., Richter Magnitude 6.7) earthquake in the San Francisco Bay region in the next 30 years.

Much of San José includes soils that have moderate to high shrink/swell potential. In addition, portions of the City are underlain by soils that are susceptible to seismically-induced liquefaction. [Note: For a discussion of these terms, please refer to Section 4.7.]

### **6.3.7.2**            *Cumulative Seismic Impacts*

Owing to the fact that the region is seismically-active, all structures in the Bay Area and their occupants are at risk of damage or injury from ground shaking in the event of an earthquake. The amount of ground shaking would depend on the magnitude of the earthquake, the distance from the epicenter, and the type of earth materials in between. Very strong-to-violent ground shaking will occur in the project area during expected earthquakes on the San Andreas, Hayward, Calaveras and other regional faults. This level of seismic shaking could cause extensive structural and non-structural damage in buildings throughout San José.

Due to the risks associated with exposure to geologic hazards, all future development addressed by this EIR, as well as all future development at any location in San José, would be subject to the General Plan's geologic and earthquake policies, which include those listed at the beginning of Section 4.7. The possible location of the Shannon Fault within the CVSP Development Area (as shown on Figure 4.7-2) would primarily affect future proposed development within the Coyote Valley.

New construction proposed by the cumulative projects would be designed and constructed in conformance with the Uniform Building Code guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking and seismic-related hazards, including liquefaction, on the various project sites. Therefore, potential impacts associated with future exposure to seismic shaking would be reduced or avoided by conformance to the standards specified in the Uniform Building Code for Seismic Zone 4 and with the recommendations of the structural analysis required for future development proposed on liquefaction-susceptible soils. For this reason, the projects would not be subject to significant impacts from seismic-related hazards.

It is acknowledged that seismic hazards cannot be completely eliminated even with site-specific geotechnical investigation and advanced building practices. However, exposure to seismic hazards is a generally accepted part of living in the San Francisco Bay Area and, therefore, the measures described above reduce the potential hazards associated with seismic activity to a less than significant level.

**Impact C-GEO-1:**     The cumulative projects would not result in significant cumulative seismic impacts, and the CVSP project would not contribute significantly to this impact. [**Less than Significant Cumulative Impact**]

### **6.3.7.3**            *Other Cumulative Geologic Impacts*

Development of the proposed cumulative projects would not be affected by slope instability or volcanic hazards. The projects would not be expected to contribute to regional subsidence or long-term erosion hazards. Implementation of standard design measures, such as those described above, would be required on a project-by-project basis to avoid or reduce geologic hazards impacts associated with liquefiable or shrink/swell soils to a less than significant level.

**Impact C-GEO-2:** The projects considered in this cumulative scenario would not result in a significant cumulative geologic hazards impact, and the proposed CVSP project would not contribute towards a significant cumulative impact. [**Less than Significant Cumulative Impact**]

#### **6.3.7.4** *Conclusions regarding Cumulative Geology Impacts*

**Impact C-GEO-1:** The cumulative projects would not result in significant cumulative seismic impacts, and the CVSP project would not contribute significantly to this impact. [**Less than Significant Cumulative Geology Impact**]

**Impact C-GEO-2:** The projects considered in this cumulative scenario would not result in a significant cumulative geologic hazards impact, and the proposed CVSP project would not contribute towards a significant cumulative impact. [**Less than Significant Cumulative Geology Impact**]

### **6.3.8** Cumulative Hydrology and Water Quality Impacts

#### **6.3.8.1** *Analysis*

Approval and construction of the cumulative projects listed in Table 6.0-1, as well as construction of the recently-approved North San José, Downtown San José, and Hitachi projects, will result in the development or redevelopment of thousands of acres of land in San José. For the reasons described in Section 4.8.1, such development has the potential to result in significant drainage, flooding, and/or water quality impacts. In recent years, however, various federal, state, and local laws have been enacted for the purpose of minimizing the risks associated with flooding, as well as for the purpose of improving/maintaining the quality of surface waters. Such legislation includes, but is not limited to, the National Flood Insurance Program, the federal Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the San José Floodplain Management Ordinance.

As a direct result of such legislation, development projects in San José are now required to undertake steps to avoid, minimize, and/or mitigate flooding and water quality impacts. These steps can include: 1) modifying site designs to reduce impervious surfaces; 2) constructing on-site stormwater detention facilities; 3) constructing off-site improvements to stormwater and flood control facilities; 4) maintaining open areas to preclude the blockage of flood flows; 5) constructing finished floors of buildings above base flood elevations; and 6) incorporating Best Management Practices (BMPs) into the construction and post-construction phases of development. In addition, these requirements are now applied to projects that seek to redevelop areas that were previously urbanized, the result of which optimally is a reduction in impervious surfaces on such sites.

**Impact C-H/WQ-1:** In view of the applicability of ordinances, laws, and regulation that would avoid the occurrence of significant hydrological and water quality impacts, it is concluded that cumulative hydrology and water quality impacts would not be significant. The proposed CVSP project would not contribute towards a significant cumulative impact. [**Less than Significant Cumulative Impact**]

#### **6.3.8.2** *Conclusion regarding Hydrology and Water Quality Impacts*

**Impact C-H/WQ-1:** Conformance with applicable ordinances, laws, and regulation would avoid the occurrence of significant hydrological and water quality impacts. Therefore, cumulative hydrology and water quality impacts would not be

significant, and the proposed CVSP project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Hydrology and Water Quality Impact]**

### **6.3.9 Cumulative Hazards and Hazardous Materials Impacts**

#### **6.3.9.1 *Introduction***

Most of the projects included in this cumulative analysis are proposed on properties that were previously developed with industrial or agricultural uses. It is likely that hazardous materials may have been stored and used on, and/or transported to and from some of these properties as part of industrial or agricultural activities on the sites. These hazardous materials (such as gasoline, oil, propane, and various chemicals used in manufacturing and agriculture) may have been stored on these sites in above-ground or underground tanks. Storage tanks can leak, often resulting in soil and/or groundwater contamination. If groundwater is affected, it can impact properties downgradient of the spill. The use of pesticides and fertilizers on agricultural properties can result in widespread residual soil contamination, sometimes in concentrations that exceed regulatory thresholds.

In addition, development/redevelopment of some of the sites would require demolition of existing buildings that may contain asbestos-containing materials (ACMs) and/or lead paint. Demolition of these structures could expose construction workers or other persons in the vicinity to harmful levels of asbestos or lead. Similarly, some of the properties may be located on asbestos-containing serpentine rock soils or fill. When this rock, which is naturally-occurring, is disturbed during construction and grading activities, there is a potential for release of asbestos fibers, which could also affect construction workers and/or persons residing downwind.

#### **6.3.9.2 *Cumulative Hazardous Materials Impacts***

Based on the above-described conditions, which are present on most project sites to varying degrees, potentially significant environmental impacts can occur under the cumulative development scenario since such conditions can lead to the exposure of residents and/or workers to substances that have been shown to adversely affect health.

For each of the projects that are under consideration, various mitigation measures will be implemented as a condition of development approval for the risks associated with exposure to hazardous materials. Measures would include incorporating the requirements of applicable existing local, state, and federal laws, regulations, and agencies such as the State Department of Toxic Substances (DTSC) and the California Occupational Safety and Health Administration (Cal/OSHA), during all phases of project development. Depending upon the extent of the chemical release, contaminated soils could be excavated and transported to appropriate landfills, or treated on-site. If groundwater is affected, remediation and on-going groundwater sampling both on the site and on surrounding downgradient properties could be warranted. Finally, determining the extent of asbestos and lead paint contamination would also be required prior to building demolition and site grading and, if present, such substances would be handled and disposed of in a manner that minimizes human exposure. These measures are all included in the CVSP project for project-specific hazardous materials impacts.

**Impact C-HAZ-1:** For cumulative project sites with hazardous materials contamination, implementation of site-specific mitigation and avoidance measures would be required on a project-by-project basis to avoid or reduce hazardous materials impacts to a less than significant level. The proposed CVSP project would

not contribute to a significant cumulative impact. [**Less than Significant Cumulative Impact**]

### **6.3.9.3**      *Conclusion regarding Hazardous Materials Impacts*

**Impact C-HAZ-1:**      The projects considered in this cumulative scenario would not result in significant unmitigated cumulative hazardous materials impacts and the proposed CVSP project would not contribute towards a significant cumulative impact. [**Less than Significant Cumulative Hazards and Hazardous Materials Impact**]

### **6.3.10**      **Cumulative Visual and Aesthetic Impacts**

#### **6.3.10.1**      *Analysis*

Each of the major projects being evaluated in San José, as well as the recently-approved North San José, Downtown San José, and Hitachi projects, would result in a visual/aesthetic impact since, to varying degrees, the proposed developments would block existing views of the scenic hillsides and mountains that ring three sides of the Santa Clara Valley. Such views are important since they essentially define the "sense of place" that is associated with living and working in a valley.

For example, while not significant by itself, new multi-story buildings associated with the planned intensification of development in North and Downtown San José will obscure views from vantage points from both within and adjacent to the project areas themselves. In Evergreen and Coyote Valley, each of the proposed developments will convert large areas of open space, which is a scenic resource, to a developed environment.

For each project, visual and aesthetic effects would be lessened by implementing applicable mitigation measures. Such measures include incorporating parks and open space areas into specific plan and/or site designs, the use of aesthetically-pleasing architectural features in building designs, and the installation of landscaping. The substantial combined visual impacts of these significant projects cannot, however, be mitigated to a less than significant level by these measures.

Each project's visual and aesthetic impacts would contribute to such impacts on a City-wide basis. Coupled with the substantial development of the greater San José area that has occurred in recent decades, recently-approved and proposed projects under consideration will result in the following:

- A cumulatively significant loss of visual open space in San José, estimated to be in the range of 2,000 to 3,000 acres; and
- A cumulatively significant loss of unobstructed views of the scenic hillsides and mountains that form the perimeter of the Santa Clara Valley.

**Impact C-AES-1:**      The cumulative proposed and recently approved projects would result in cumulatively significant visual and aesthetic impacts, and the proposed CVSP project would make a substantial contribution towards this cumulative impact. [**Significant Cumulative Impact**]

The above discussion and conclusion notwithstanding, it is important to note that none of the recently-approved or proposed projects would occur on lands that are designated as permanent open space. Open space areas designated in the General Plan to remain as rural/open space (e.g.,

neighborhood and regional parks, the Baylands, and the South Coyote Greenbelt) would not be reduced by any of the projects that are under consideration in this cumulative analysis.

### **6.3.10.2**      *Mitigation for Cumulative Visual and Aesthetic Impacts*

Available mitigation measures to reduce the visual impacts associated with change in character and the loss of visual corridors and open space (including planning for permanently protected open space and inclusion of landscaping with development project) are assumed to be in place and/or included in all of the cumulative projects. The significant unavoidable visual impacts that would result from approval and implementation of all identified projects are therefore significant and unavoidable.

### **6.3.10.3**      *Conclusion regarding Cumulative Visual and Aesthetic Impacts*

**Impact C-AES-1:**      The cumulative and recently approved projects would result in cumulatively significant visual and aesthetic impacts, and the contribution of the CVSP to this impact would be considerable. There is no feasible mitigation to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. [**Significant Unavoidable Cumulative Visual & Aesthetic Impact**]

### **6.3.11**      **Cumulative Utilities Impacts**

#### **6.3.11.1**      *Introduction*

Approval and full implementation of the cumulative projects listed in Table 6.0-1, in conjunction with the build-out of the City's current General Plan (which includes the recently-approved North San José, Downtown San José, and Hitachi projects), would result in the construction of large amounts of new industrial, commercial, and residential development. Each of these uses would have different potential impacts upon the City's utility and service systems. Utility and service providers maintain long term projections for demand for their services within the City based on the City's General Plan, and in many cases have developed strategies to meet the anticipated demand levels. Typically, the timeframe for their demand/supply analysis is comparable to the timeframes of projects addressed here.

In the case of the CVSP project, the amount of development in the proposed project is already in the City's General Plan and may have been anticipated by utility providers. Because the Mid-Coyote area is not within the City's Urban Service Area (USA), however, the urbanization in the Coyote Valley Urban Reserve has not been planned within the current General Plan horizon. Implementation of the CVSP would require an expansion of the USA boundaries. In the cases of the EEHVS and iStar projects, the proposed developments would likely have similar demand upon the utility and service systems as the land uses currently shown in the City's General Plan for those respective sites. The North San José and Downtown San José projects will each increase development beyond that allowed under the adopted General Plan and would have proportionately increased demands for utilities.

#### **6.3.11.2**      *Cumulative Impacts to Sanitary Sewer/Wastewater Treatment Facilities*

The City's sanitary sewer/wastewater treatment system has two distinct components: 1) a network of sewer mains/pipes that conveys effluent from its source to a treatment plant, and 2) the water pollution control plant that treats the effluent, including a system of mains/pipes that recycles a

portion of the treated wastewater for non-potable uses (e.g., irrigation of landscaping, agricultural irrigation, dust suppression during construction, etc.).

### **Sanitary Sewer System**

The City of San José has adopted a level of service (LOS) policy for design of sanitary sewer mains. The levels of service range from "A" to "F," with LOS A defined as unrestricted flow and LOS F defined as being inadequate to convey existing sewer flow. To meet the City's guidelines, new developments must meet LOS D or above. LOS D is defined as restricted sewage flow during peak flow conditions.

With the exception of the Coyote Valley, the City of San José currently has wastewater collection infrastructure in place in all of the cumulative project areas. Generally this consists of varying levels of local connectors, laterals that range from six to eight inches in diameter, and sewer mains ranging in size from 10 to 36 inches. The network primarily relies upon gravity flow, supplemented by sewer lift stations and force mains at specific locations. The City is responsible for maintenance of the entire system.

The cumulative projects, as well as future development allowed under the adopted General Plan, will contribute wastewater to the existing system. As part of each project's approval process, the City will require appropriate upgrades and extensions to the existing system. The largest expansion of the sanitary sewer system would occur in the Coyote Valley. In addition, through its Capital Improvement Program, the City undertakes upgrades to the existing system, consistent with its policy objective of maintaining LOS D in the City's sanitary sewer mains.

**Impact C-UTIL-1:** The cumulative projects would not result in a significant impact to sanitary sewer facilities, and the proposed CVSP project would not contribute towards a significant cumulative impact. [**Less than Significant Cumulative Impact**]

### **Water Pollution Control Plant (WPCP)**

The San José/Santa Clara Water Pollution Control Plant (Plant), which is located in the Alviso area of San José, provides wastewater treatment for the cities of San José, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga, and Monte Sereno. . As mentioned in Section 4.11.1.1, the Plant has a permitted capacity to treat 167 million gallons per day (mgd) of wastewater (of this total amount, the capacity allocated to San José is approximately 107 mgd). However, the National Pollution Discharge Elimination System (NPDES) permitting program limits the amount of treated wastewater that can be discharged to the San Francisco Bay to 120 mgd average dry weather effluent flow (average of the 3 lowest months between May–October). This is due to potential impacts of additional freshwater discharges to saltwater marsh habitat, as well as pollutant loading to the San Francisco Bay. The NPDES permit requirement is a trigger that, if the 120 mgd average dry weather effluent flow is exceeded, requires the Plant to engage in specific mitigation activities, such as increases in recycled water.

As mentioned in Section 4.11.1.1, in part, the 120 mgd NPDES permit trigger has led to the development of conservation programs to reduce the volume of wastewater generated at the WPCP, including the South Bay Water Recycling (SBWR) program. The SBWR system includes over 100 miles of pipes that convey treated wastewater to portions of San José, Santa Clara, and Milpitas. The SBWR program is currently recycling approximately 10-16 mgd of treated wastewater to over 500 customers.

Cumulative implementation of the recently-approved and proposed projects identified in this section is conservatively projected to result in a total net increase in sewer/wastewater discharge of approximately 21 mgd. Factoring in build-out of the City's current General Plan raises the projected increase in discharge by 12 mgd, to a total increase of 33 mgd. This estimate does not reflect possible advances in water conservation, expanded use of recycled water or other measures that could reduce the total potential impact upon the collection system and treatment plant. Additionally, the discharge assumed for build-out of the City's General Plan does not account for off-setting reductions in discharge as existing uses are displaced by future redevelopment that utilizes more advanced water conservation methods.

In 1998, the WPCP was treating an average of 142 mgd (dry weather peak). In 2000, 2002, and 2006, the WPCP was treating an average of 135 mgd, 118 mgd, and 125 mgd, respectively. The decline in discharge from 1998 to 2006 can be attributed, in part, to a decline in manufacturing uses in Santa Clara County, a general decline in industrial activity, and continued implementation of water conservation measures through new construction. Another factor in the reduction in activity is due to the economic conditions that resulted in high vacancy rates in the industrial areas of Santa Clara County.

As mentioned above, the estimated total increase in wastewater discharge from build-out in San José (including the cumulative projects) is 33 mgd. In 2006, San Jose pumped 84 mgd. Together, the estimated increase in wastewater discharge (33 mgd) to the WPCP and the 2006 discharge rate (84 mgd), would result in a total of approximately 117 mgd, which is above the City's allotment of 107 mgd. It should also be noted that the re-occupancy of currently vacant buildings could result in increased discharge levels from 2006 notwithstanding any new development.

The 33 mgd increase in wastewater would also cause the discharge from the Plant to the Lower South Bay to exceed the 120 mgd flow trigger possibly impacting endangered species habitat in the Lower South Bay. Neither this scenario nor a situation in which the flow trigger of 120 mgd, would be allowed to occur, based on the requirements of Chapter 15.12 of the Municipal Code.

In order for the WPCP to handle the increased wastewater flow the City of San José would need to: 1) increase its flow capacity allotment beyond the 107 mgd allotted to the City; 2) the WPCP would need to increase its overall capacity; and/or 3) future conservation measures would need to be implemented to reduce the overall flow of wastewater to the WPCP. While exceeding San José's wastewater flow allotment will likely not occur in the near term, the cumulative effects of all of the developments proposed will force the Plant to modify its existing operations significantly.

As just mentioned, in order to accommodate treatment of the cumulative increases in wastewater, the WPCP may need to be expanded or satellite facilities may need to be built. Any proposal to increase WPCP capacity would require separate NEPA/CEQA review and would be subject to a separate permitting process. There is at present no specific proposal to expand the WPCP capacity and to identify a possible location or the impacts of doing so at this time would be speculative. However, the Plant Master Plan, discussed below, will address these flow issues directly.

Excluding expansion of the WPCP, the City may pursue several strategies to address demand upon the Plant as mentioned above. Future conservation measures to reduce the overall flow of wastewater to the WPCP include programs to reduce water usage. These programs will also reduce sewer/wastewater discharge, which reduce the demand for treatment capacity. The City has in recent years successfully reduced discharge to the Plant through the ongoing implementation of water conservation programs and programs to reduce sewage generation, such as the SBWR.

Increased use of recycled water for irrigation and recharging groundwater supplies will reduce the amount of discharge from the Plant to the Bay; however, indoor uses will not reduce sufficient wastewater flow to the Plant. All of the major projects considered in this cumulative analysis are located adjacent to existing SBWR pipelines (North San José, Downtown Strategy, Flea Market, and Evergreen) or adjacent to planned extensions of the SBWR pipelines (Coyote Valley, Hitachi, and iStar), providing extensive opportunities for additional use of recycled water, including the possibility of dual plumbing (interior uses) for recycled water use in new buildings. Active implementation of aggressive strategies to facilitate use of recycled water could reduce the actual amount of discharge from the Plant to the Bay to acceptable levels. Under the worst case conditions used for this analysis, the City would need to increase use of recycled water by approximately 33 mgd in order to remain under the 120 mgd dry weather flow trigger.

While the impacts from increased flow to the Plant could be significant, this impact is avoidable through increased mandatory water conservation efforts, use of recycled water, expansion of Plant treatment capacity, and/or limitations on new development such that full build-out of the cumulative projects could not occur until capacity is available. The City may choose to not approve some of the proposed cumulative development assumed in this analysis, or development could be delayed until a later date.

Ultimately, the capacity of the Plant to treat wastewater and discharge effluent is a potential infrastructure capacity issue that could constrain full implementation of the cumulative projects, but the capacity constraint would not result in an environmental impact since the City of San José would not entitle development that would exceed the 120 mgd flow trigger discharge to impact the Bay. Every land use permit issued by the City of San José includes this standard permit condition:

Sewage Treatment Demand. Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.

As noted above, unless the City is able to substantially increase the use of recycled water, the proposed amount of development, including build-out of the current General Plan, could cause the Plant to exceed the discharge flow limit. The City will not, however, issue any entitlement for development beyond the Plant capacity including the flow trigger or other Plant capacity limitations. While the City of San José may limit permits that may cause the Plant to both exceed its treatment capacity and discharge of effluent to the Bay, the cumulative impacts of the developments in San José and the Tributary agencies will require the Plant to engage in the following mitigation strategies. The mitigation strategies are to both expand the capacity of the Plant and the recycled water system if needed.

The Plant is already considering the need to expand the treatment capacity. Currently, the Plant, under the leadership of the City of San José's Environmental Services Department, is developing a Plant Master Plan to address Plant facilities, operations, and land use. The Plant Master Plan will address the long-term needs of the Plant with a 30 to 50 year horizon. One of the significant elements of the Plant Master Plan is the examination of the Plant's treatment capacity. The Plant

Master Plan will factor in the development patterns for the City of San José and the Tributary agencies, and it will make a recommendation on whether an increase in treatment capacity is required to accommodate future development. The Plant Master Plan will complete a rigorous analysis of conditions beyond the scope of this EIR as to whether expanding treatment capacity is necessary. While this EIR points to that need, more detailed analysis may prove that expanding treatment capacity is not required now or in the future. However, the Plant Master Plan is the mitigation mechanism for the flow capacity impact and will address the issue directly making programmatic level recommendations on how to resolve any future capacity impacts.

Increasing the treatment capacity of the Plant potentially may result in the following environmental impacts: 1) indirect inducement of growth in the region; 2) increase in neighborhood traffic levels; 3) encroachment or takings of sensitive habitat (burrowing owls); 4) additional odor or other air quality issues from an expanded biosolids treatment area; and 5) the need for more external energy supplies resulting in increased particulate matter and greenhouse-gas emissions.

The larger flows into the Plant will lead to larger discharges to the Bay that may exceed the 120 effluent trigger. Any development in the City of San José or the Tributary agencies that exceeds the 120 mgd effluent flow trigger to the Bay will need to be offset with recycled water uses that will not return to the Plant (e.g. landscape irrigation and groundwater recharge). The cost for this mitigation and potential increases needed in SBWR's system will be borne by new development.

Mitigating for this impact will require a more robust recycled water system that may cause the following environmental impacts: 1) loss of sensitive habitat; increase in energy demand; and 2) construction impacts throughout the Plant service area to increase the recycled water system's handling capacity.

**Impact C-UTIL-2:** The cumulative projects would increase the amount of wastewater sent to the Plant for treatment, and the CVSP project would contribute to a cumulatively significant impact. **[Less than Significant Cumulative Impact with Mitigation Incorporated]**

### **6.3.11.3**      *Cumulative Impacts to Water Service*

The City of San José has three water service providers (retailers) who each serve different regions of the City that would be affected by the cumulative impacts addressed here. The San José Water Company (SJWC) serves the Downtown and a portion of the North San José area. The San José Municipal Water System (SJMWS) serves the remainder of North San José and most of the Evergreen area. The Great Oaks Water Company (GOWC) serves the Hitachi and iStar properties. The water service provider for Coyote Valley has not yet been determined. The water systems for each of these retailers are independent of each another, although they all potentially draw upon groundwater and surface water resources administered by the Santa Clara Valley Water District (SCVWD).

Based on a conservative estimate of the likely water demand for the pending projects under consideration and build-out of the City's current General Plan, the projected cumulative increase in demand is approximately 39 mgd. The water retailers draw upon various sources for their water supply, including local groundwater and surface water supplies and importation of water from outside of San José's jurisdiction. While some growth in imported water supply is expected (and currently under negotiation), the predominant source of additional water supply is local groundwater. The SCVWD is in the process of modeling their long-term ability to provide groundwater to the three retailers, but their preliminary analysis suggests that they have adequate capacity to address the cumulative demand of the projects under consideration here.

The SJMWS has identified the need to construct some additional facilities as part of their conveyance system to serve the North San José project. Additional facility improvements may be necessary for the other suppliers or for the SJMWS in other parts of the City, but these have not yet been identified. Such improvements will be identified and implemented as development occurs as part of the entitlement review process. Some facilities may also be constructed by the providers themselves through their typical business operations.

Based upon the information available at this time, it appears that the existing sources and infrastructure for water supply are adequate to address the cumulative increase in demand. The proposed increased level of development associated with the cumulative projects, including EEHVS, Flea Market, iStar, and CVSP, would increase water demand over existing conditions, but would not contribute to a cumulatively significant impact. As previously described in Section 4.11.2.2, the three potential water retailers for the CVSP (SJMWS, Great Oaks, and San José Water Company) have determined that they will have access to an adequate supply of water to meet CVSP build-out demand.

**Impact C-UTIL-3:** Approval and implementation of all of the cumulative projects as proposed would increase demand for water supply, but would not result in significant cumulative environmental impacts as a result of exceeding the identified water supply, such supply which includes the use of recycled water through the SBWR system. [**Less than Significant Cumulative Impact**]

#### **6.3.11.4**      *Cumulative Impacts to Storm Drainage System*

The City of San José owns and maintains the existing public storm drainage system throughout the City's Urban Service Area. The underground drainage system is composed of storm lines which range in size from 12 inches to 144 inches in diameter. Flows from individual sites and surface streets are conveyed by gravity flow to storm laterals and storm mains. In most cases, drainage to the Guadalupe River, Coyote Creek, or other tributary streams is by gravity flow through the system or by direct outflow, but in some areas water is pumped from storm mains into the stream system.

The City's standard is to provide adequate storm drainage to convey up to a 10-year storm event. In some areas of the City, notably including the North San José area, the current storm drainage system does not provide this capacity. The City maintains a long-term plan to build out the storm drainage system to meet the 10-year standard throughout the City.

The cumulative projects analyzed in this section include both redevelopment and/or intensification of existing areas (e.g., North San José, Downtown) or new development on largely vacant sites (e.g., Evergreen, Coyote Valley), as well as a number of smaller infill project sites. While intensification of already developed areas will likely result in minimal increases in storm water runoff amounts which can be largely accommodated by the existing storm drainage network, development in new areas will require the construction of new storm drainage systems.

Downtown San José is fully developed, except for small vacant lots that are mostly paved. North San José will include expansion and improvement of the existing storm system as new development occurs under the proposed plans for intensification. In the case of the EEHVS and CVSP projects, the large scale master planning approaches underway allow for the comprehensive design, funding, and construction of storm water facilities as needed to serve the new development. Evergreen and Coyote Valley are also subject to the most stringent requirements of the City to minimize stormwater runoff, consistent with policies implemented by the RWQCB (see Section 4.8). As a result of compliance with these policies, these projects are not expected to result in any significant impacts

upon the nearby stream systems or from exceeding the capacity of downstream storm drainage systems.

**Impact C-UTIL-4:** Cumulative development would in some cases generate stormwater flows in excess of the capacity of existing stormwater collection systems. Construction of the planned stormwater collection systems in conjunction with planned development and consistent with RWQCB policies, would not result in new significant environmental impacts. The proposed CVSP project would not contribute to a cumulatively significant impact. [**Less than Significant Cumulative Impact**]

### **6.3.11.5** *Cumulative Impacts to Electricity and Natural Gas Systems*

PG&E supplies electricity and natural gas to the City of San José. Distribution of electric power is accomplished primarily through underground systems extending from various high voltage transmission lines in the area. Natural gas is distributed through a series of gas distribution lines located within street right of ways. Electric and gas utilities are available in the vicinity of the respective project areas and can be extended onto developments in the project areas. PG&E has projected that planned development of the Coyote Valley may require construction of an additional electric distribution substation to provide adequate power. Additional substations may also need to be constructed in other parts of San José to serve new development. [Note: See also the discussion of Cumulative Energy Impacts below.]

**Impact C-UTIL-5:** Development allowed under the CVSP would not contribute to a significant impact related to the provision of electricity and natural gas. Construction of planned electric distributions substations would not result in new significant environmental impacts substantially greater or different than the individual developments they are built to serve. [**Less than Significant Cumulative Impact**]

### **6.3.11.6** *Cumulative Impacts to Solid Waste Systems*

According to Santa Clara County's Countywide Integrated Waste Management Plan and the Source Reduction and Recycling Element prepared in 1995 for the City of San Jose as a component of that Plan, there was then sufficient landfill capacity for Santa Clara County's projected needs for at least 30 more years. This projection did not anticipate significant increases in the use of yard wastes and construction and demolition debris for Alternative Daily Cover (ADC) and Beneficial Use, which if included, accelerates the rate at which the Newby Island (or any other) landfill would reach capacity, notwithstanding the waste stream added by the development of the CVSP. Extrapolating recent annual tonnages for ADC and including these tonnages in annual contributions to the landfill, it is projected that Newby Island landfill could reach capacity soon after 2020. It is unknown how long there will be capacity at Kirby Canyon Landfill or other adjacent landfills, but all capacity within the City is expected to be exhausted by 2030.

**Impact C-UTIL-6:** Upon build-out the project would contribute approximately 69,300 tons of the City of San Jose's solid waste per year. Although CVSP will only contribute a small fraction of total generated solid waste in the City of San Jose, the project would contribute to the accelerated consumption of the city's landfill capacity and make it more difficult to maintain the long-term disposal capacity of 20 years required in the Level of Service Policies of the San José 2020 General Plan; therefore the project will result in a significant cumulative

impact to solid waste systems. **[Significant Unavoidable Cumulative Solid Waste System Impact]**

### **Mitigation and Avoidance Measures for Cumulative Impacts to Solid Waste Systems**

The lack of sufficient permitted landfill capacity beyond 2030 is a citywide issue which would occur without the CVSP project. In that regard, the City is already embarking on research and analysis to address this projection. The mitigation options available are to increase diversion of waste from disposal, extend existing landfill capacity, or open a new landfill in accordance with the San Jose 2020 General Plan. The City's preferred method for increasing the City's landfill capacity is to expand the capacity of existing landfill sites and monitor the continued availability of recycling, resource recovery and composting capacity to ensure adequate long-term capacity.

On November 1, 2005 the City of San Jose signed on to the United Nations Urban Environmental Accords, and has committed to achieving zero waste to landfills and incinerators by 2040. The City has also committed to adopting citywide law that reduces the use of a disposable, toxic, or non-renewable product category by at least fifty percent in seven years, and to implement "user-friendly" recycling and composting programs (the City's current Pay-As-You-Throw system allows residents to recycle up to 80 percent of their solid waste stream in curbside recyclable containers), with the goal of reducing by twenty percent per capita solid waste disposal to landfill and incineration in seven years.

With continuing education and public outreach through Recycle Plus, a quarterly newsletter focusing on recycling, the City will focus on CVSP to be a model zero waste community. It is anticipated that recyclable tonnages could reach as much as 150 tons per day, which would be processed at the CVSP MRF.

#### **6.3.11.7 Conclusion regarding Cumulative Utility Impacts**

**Impact C-UTIL-1:** The cumulative projects would not result in a significant impact to sanitary sewer facilities, and the proposed CVSP project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Utilities Impact]**

**Impact C-UTIL-2:** The cumulative projects would increase the amount of sewage sent to the WPCP for treatment, and the CVSP project would contribute to a cumulatively significant impact. **[Less than Significant Cumulative Utilities Impact with Mitigation Incorporated]**

**Impact C-UTIL-3:** Approval and implementation of all of the cumulative projects as proposed would increase demand for water supply, but would not result in significant cumulative environmental impacts as a result of exceeding the identified water supply, such supply which includes the use of recycled water through the SBWR system. The CVSP project would not contribute towards a significant cumulative impact. **[Less than Significant Cumulative Utilities Impact]**

**Impact C-UTIL-4:** Construction of the planned stormwater collection systems in conjunction with planned development and consistent with RWQCB policies, would not result in new significant environmental impacts. The proposed CVSP project

would not contribute to a cumulatively significant impact. **[Less than Significant Cumulative Utilities Impact]**

**Impact C-UTIL-5:** Development allowed under the CVSP would not contribute to a significant impact related to the provision of electricity and natural gas. Construction of planned electric distributions substations would not result in new significant environmental impacts substantially greater or different than the individual developments they are built to serve. **[Less than Significant Cumulative Utilities Impact]**

**Impact C-UTIL-6:** Although landfill capacity is expected to be exhausted within 30 years notwithstanding CVSP, development allowed under the proposed project would contribute to the accelerated consumption of the city's landfill capacity and make it more difficult to maintain the long-term disposal capacity of 20 years required in the Level of Service Policies of the General Plan. It is estimated that the City of San Jose's landfill capacity will be exhausted by 2030. Because additional capacity has not been identified at this time, the project would contribute to a cumulatively significant impact. **[Significant Unavoidable Cumulative Utilities Impact]**

### **6.3.12**      **Cumulative Energy Impacts**

#### **6.3.12.1**      *Analysis*

To provide information regarding the magnitude of cumulative energy impacts, the estimated annual energy usage of the six largest recently-approved/proposed projects is quantified in Table 6.0-6. To put the data of Table 6.0-6 into context, the cumulative increase in electricity, 1,503 million kWhr, is eight percent of the total amount of electricity used in Santa Clara County in the year 2000. Similarly, the cumulative increase in gasoline, 80 million gallons, is approximately ten percent of the total amount of gasoline used in Santa Clara County in 2003.

More important, as discussed in Section 4.12, *Energy*, the California Energy Commission is projecting future shortages of electricity, natural gas, and gasoline during periods of peak demand. In the context of these projected shortages, the increase in energy usage that is shown in Table 6.0-6 would constitute a significant cumulative energy impact. This conclusion is consistent with the thresholds of significance used for energy impacts, which state that energy usage needs to be evaluated in the context of projected supplies.

There are many measures available to reduce energy consumption in both residences and businesses, as listed in Section 4.12. Each of the projects being considered will, to varying degrees, incorporate such measures into the design of all new buildings.

It is also important to note that several of the large projects (e.g., North San José, Downtown, Coyote Valley, and Hitachi) would construct residences in the vicinity of job centers. Further, all of the large projects listed in Table 6.0-1 are, to varying degrees, located along existing or planned rail corridors (LRT, CalTrain, BART, Altamont Commuter Express). Proximity of jobs to housing and the availability of efficient public transit are important goals of land use planning, as embodied in the policies of San José's General Plan, because they can substantially reduce the adverse effects of automobile usage (i.e., energy consumption, congestion, and air pollution).

It should also be noted that intensifying development within existing urban areas has the potential to reduce overall gasoline consumption due to shorter commuting distances. The development of residential uses in areas to the south and in the Central Valley results in workers commuting one to three hours each way to jobs in the Silicon Valley.

One of the cumulative projects, the EEHVS, would reverse a 1980's City Council decision to designate 320 acres of land in Evergreen for roughly 4.6 million square feet of Campus Industrial uses. The 1980s decision was made for the purpose of locating jobs near the substantial supply of housing in Evergreen. The current proposal would redesignate these lands for housing which would result in longer commutes. From a transportation energy perspective, this would be an adverse impact.

**Impact C-ENG-1:** Cumulative development would result in significant cumulative energy impacts. The proposed CVSP project would make a considerable contribution towards this significant impact. **[Significant Cumulative Impact]**

#### **6.3.12.2**      *Mitigation for Cumulative Energy Impacts*

There are many measures available to reduce energy consumption in both residences and businesses, as listed in Section 4.12. Each of the projects being considered will, to varying degrees, incorporate such measures into the design of all new buildings. Section 4.12 identifies a number of measures (e.g., installation of photovoltaic systems on rooftops) that could further reduce increased energy use from the proposed CVSP, which would in turn lessen the project's contribution to the cumulatively significant increased use of energy. However, the degree to which such measures will be incorporated into the CVSP or other cumulative projects is not presently known. Table 6.0-6 describes the approximate amount of energy anticipated to be used by the larger cumulative projects.

**TABLE 6.0-6  
ESTIMATED CUMULATIVE ENERGY USAGE**

	<b>Natural Gas (cubic feet/year)</b>	<b>Electricity (kWh/year)</b>	<b>Gasoline (gallons/year)</b>
<u>North San José<sup>a</sup></u> 32,000 residences 26,700,000 ft <sup>2</sup> office/R&D 622,000 daily trips <i>Subtotal:</i>	1,440 million 774 million 2,214 million	208 million 481 million 689 million	33 million
<u>Downtown San José<sup>a</sup></u> 10,000 residences 10,000,000 ft <sup>2</sup> office/R&D 1,200,000 ft <sup>2</sup> commercial 196,690 daily trips <i>Subtotal:</i>	450 million 290 million 44 million 784 million	65 million 180 million 16 million 261 million	10 million
<u>Evergreen • East Hills<sup>c</sup></u> 3,900 residences 4,735,000 ft <sup>2</sup> office/R&D 500,000 ft <sup>2</sup> commercial 115,900 daily trips <i>Subtotal:</i>	176 million 137 million 19 million 331 million	25 million 85 million 7 million 117 million	6 million
<u>Coyote Valley<sup>a</sup></u> 25,000 residences 12,500,000 ft <sup>2</sup> office/R&D 520,489 daily trips <i>Subtotal:</i>	1,125 million 363 million 1,488 million	163 million 225 million 388 million	27 million
<u>Hitachi<sup>a, b</sup></u> 2,930 residences 460,000 ft <sup>2</sup> commercial 34,488 daily trips <i>Subtotal:</i>	132 million 17 million 149 million	19 million 6 million 25 million	2 million
<u>iStar<sup>a</sup></u> 1,000,000 ft <sup>2</sup> office/R&D 450,000 ft <sup>2</sup> commercial 29,352 daily trips <i>Subtotal:</i>	29 million 17 million 46 million	18 million 6 million 24 million	2 million
<u>San José Flea Market</u> 2,818 residences 215,622 ft <sup>2</sup> office 152,700 ft <sup>2</sup> commercial 22,942 daily trips <i>Subtotal:</i>	127 million 6 million 6 million 139 million	18 million 4 million 2 million 24 million	1 million
<b>Totals:</b>	<b>5,151 million</b>	<b>1,527 million</b>	<b>81 million</b>

Notes:

<sup>a</sup> Proposed land uses are estimated maximums, based on preliminary information available at the time this EIR was prepared.

<sup>b</sup> Project includes 3.6 million ft<sup>2</sup> of office/r&d uses, but those uses are not included in this table because the Hitachi site presently includes 3.6 million ft<sup>2</sup> of office/r&d uses.

<sup>c</sup> For this table, EEHVS Scenario VI was used since it would utilize the most energy of the six scenarios evaluated as part of that project.

### **6.3.12.3 Conclusion regarding Cumulative Energy Impacts**

**Impact C-ENG-1:** Given that the extent to which each cumulative project would incorporate energy-conserving measures into its design is presently unknown, it is concluded that cumulative energy impacts would be significant and unavoidable. The proposed CVSP project would make a considerable contribution towards this significant impact. [**Significant Unavoidable Cumulative Energy Impact**]

## **6.3.13 Cumulative Population, Jobs, and Housing Impacts**

### **6.3.13.1 Introduction**

Historically, San José has had a shortage of jobs compared to the number of employed residents living in the City, commonly referred to as a jobs/housing imbalance. A jobs/housing imbalance, especially when there is a relative deficit of jobs, can be problematic because it results in longer commutes as City residents travel to other locales for employment. This same imbalance can result in financial hardships for a city due to the costs associated with providing services to residential land uses in relation to the revenue generated by the residential uses.

In recent years, consistent with the major strategies and objectives of the adopted General Plan, the City has attempted to correct this imbalance. Table 6.0-5 provides an overview of the historic and projected number of households, jobs, employed residents, and population in San José. The table also provides a breakdown of projected jobs and households in San José under build-out of the General Plan, both with and without the cumulative projects.

### **6.3.13.2 Cumulative Impacts**

Table 6.0-7 provides a breakdown of projected jobs and households in San José under build-out of the General Plan, both with and without the cumulative projects. The data in Table 6.0-7 can be summarized as follows:

- The City's historic jobs/housing imbalance has been decreasing.
- When compared to existing (2005, which is the date closest to 2007) conditions, build-out under the approved General Plan will increase the number of jobs and households in San José by 288,850 (80%) and 46,525 (15%), respectively.
- When compared to existing (2005) conditions, build-out assuming approval and construction of the cumulative projects would increase the number of jobs and households in San José by 283,320 (78%) and 71,402 (23%), respectively.
- When compared to build-out under the approved General Plan, approval and construction of the cumulative projects would decrease the number of jobs in San José by 5,528 (0.85%) and increase the number of households in San José by 24,878 (7%).
- The overall jobs/housing ratio under future build-out conditions will remain essentially unchanged if the City were to approve all of the cumulative projects.

**TABLE 6.0-7  
CUMULATIVE ECONOMIC AND DEMOGRAPHIC DATA FOR SAN JOSÉ**

	1980	1990	2000	2005	Projected Build-out	
					Existing General Plan	With Cumulative Projects
Jobs	231,700	313,400	432,500	363,400	652,248	646,720
Households	231,400	263,300	291,400	309,400	355,924	380,802
Total Population	679,700	808,400	942,000	993,000	1,140,097	1,219,013
Employed Residents	338,400	427,800	470,000	402,300	571,731	611,710
Persons per Household	2.9	3.1	3.2	3.2	3.2	3.2
Employed Residents per Household	1.5	1.6	1.6	1.3	1.6	1.6
Jobs per Employed Resident	0.68	0.73	0.92	1.17	1.14	1.06

**Notes:**

- Historic data are from ABAG and are for the San José Sphere of Influence, an area slightly larger than the incorporated area of the City.
- In this table, “households” is used to represent “dwelling units”. In reality, the two numbers are almost identical.
- Data for jobs, population, employed residents, and households are rounded to the nearest hundred.
- The existing San José General Plan includes amendments through July 2006. The June 2006 General Plan amendments included the North San José Development Policies (GP04-04-06), the Hitachi Campus (GP04-02-01), and the Downtown San José Strategy 2000 (GP05-03-01).

Sources: ABAG (Projections '96 & Projections 2007), City of San José.

<b>TABLE 6.0-8 BREAKDOWN OF PROJECTED JOBS AND HOUSING IN SAN JOSÉ</b>		
	<b>Jobs</b>	<b>Households/DU's</b>
Existing (2005)	363,400	309,400
Un-built Entitlement (includes 20,000 jobs in Coyote Valley)	52,000	0
Vacant Land Capacity under Existing General Plan (excluding Coyote Valley)	37,400	40,000
Coyote Valley (un-entitled, but in Existing General Plan)	30,000	25,000
North San José (approved June 2005)	68,000	24,700
Downtown San José Strategy 2000 (approved June 2005)	45,000	10,000
Hitachi [Cottle Road property] (approved June 2005)	575	2,930
<b>Subtotal: Build-out under Existing General Plan (approx.)</b>	<b>596,375</b>	<b>412,030</b>
<b>Effect of Major Cumulative Projects</b>		
iStar	- 1,155	
Evergreen • East Hills	- 10,400	+ 5,500
Flea Market	- 120	+ 1,300
<b>Subtotal (rounded):</b>	<b>- 11,675</b>	<b>+ 6,800</b>
<b>Total: Build-out under Cumulative Scenario</b>	<b>584,700</b>	<b>418,830</b>
<b>Notes:</b>		
<sup>a</sup> Worst-case jobs loss/housing gain numbers used, as per Table 6.0-5.		
Source: City of San José, 2006.		

**Impact C-POP-1:** The cumulative projects would not substantially impact the projected balance between jobs and housing that is identified in the approved San José 2020 General Plan, and the proposed CVSP project would not contribute to a significant cumulative impact. [**Less than Significant Cumulative Impact**]

### 6.3.13.3 *Conclusion regarding Cumulative Population, Jobs, and Housing Impacts*

**Impact C-POP-1:** The cumulative projects would not substantially impact the projected balance between jobs and housing that is identified in the approved San José 2020 General Plan, and the proposed CVSP project would not contribute to a significant cumulative impact. [**Less than Significant Cumulative Population, Jobs, and Housing Impact**]

### 6.3.14 Cumulative Impacts on the Availability of Public Services

#### 6.3.14.1 *Introduction*

As described in Section 4.14, public facilities and services are provided to the community as a whole, usually from a central location or from a defined set of nodes. The resource base for delivery of these services, including the physical service delivery mechanisms, is financed on a community-wide basis, usually from a unified or integrated financial system. The service delivery agency can be a city, county, service or other special district. Usually, new development will create an incremental increase in the demand for these services; the amount of demand will vary widely, depending on both

the nature of the development (residential vs. commercial, for instance) and the type of services, as well as on the specific characteristics of the development (such as senior housing vs. family housing).

The cumulative impact of a group of projects, as with a particular project, on public facility services is generally a fiscal impact. By increasing the demand for a type of service, a group of projects could cause an eventual increase in the cost of providing the service (more personnel hours to patrol an area, additional fire equipment needed to service a tall building, etc.). That is a fiscal impact, not an environmental one. CEQA does not require an analysis of fiscal impacts.

CEQA analysis is, however, required if the increased cumulative demand is of sufficient size to trigger the need for a new facility (such as a school or fire station), since the new facility would have a physical impact on the environment. CEQA requires that an EIR then identify and evaluate the physical impacts on the environment that such a facility would have. To reiterate, the impact that must be analyzed in an EIR is the impact that would result from constructing a new or expanded public facility (should one be required), not the fiscal impact of a development on the capacity of a public service system.

#### **6.3.14.2      *Fire and Police Protection Cumulative Impacts***

Fire protection for the project area is provided by the City of San José Fire Department (SJFD). The SJFD presently has 31 stations within the City and also participates in a mutual aid program with neighboring jurisdictions. The SJFD also responds to all emergency medical services (EMS) calls in the City. In fact, roughly two-thirds of all SJFD dispatches are EMS-related.

Police protection services in the project area are provided by the City of San José Police Department (SJPD). Unlike the SJFD wherein emergency equipment is dispatched from stations located throughout the City, all SJPD officers are dispatched from police headquarters (located at 201 West Mission Street) at the beginning of their shifts to patrol the City within their assigned beats.

The \$159 million Public Safety Bond Program, approved by voters in March 2002, funds capital projects for the Fire and Police Departments and includes: a public safety driver training facility, new and upgraded 911 communications facilities, an improved training center, a new police substation, new and upgraded fire stations, fire stations to be relocated, and new community policing centers. These public safety projects are intended to be implemented over the next decade and would be available to serve the population produced by the cumulative group of projects. Increased public safety staffing and purchase of equipment is evaluated by the City during the normal budget process, based on then current conditions.

The new construction that would occur as a result of the cumulative projects includes the redevelopment of older commercial and industrial buildings that may use hazardous materials as well as construction on parcels that are currently vacant. New construction would replace aging buildings with structures built to current fire code standards.

The net increase in the amount of development that would exist in the City by the cumulative scenario, particularly the increased residential development, will increase calls for fire and police services. As described above, the City is undertaking a capital improvement program that includes the anticipated development of new fire stations, fire stations to be relocated, and upgrades to existing fire stations. The CVSP project includes planning for two new fire stations to serve the needs of the Coyote Valley area. However, there are currently no specific proposals to build new fire station(s) or new or expanded police facilities as a result of the additional demands that would arise from development of the cumulative projects.

Increased demands for service may be offset by expansion of existing stations, including additional staffing. In the event that future development patterns (including the specific location of new development) and/or service demands indicate that a new fire station is needed in a given area of San José, suitable locations for construction of stations would be identified and provided within the project area. Increased demand for services is not necessarily an environmental impact. The environmental impact, if it does occur, generally results from the impacts on the physical environment that result from the physical changes made in order to meet the demand.

Construction of new fire stations or police facilities to serve the cumulative development, including those proposed for the CVSP, would require environmental review. Since specific sites for such construction cannot be identified at this time, it cannot be stated conclusively that significant environmental impacts would or would not occur. The construction of a local fire station in San José would contribute incrementally to the impacts of development, but is not anticipated by itself to have new or substantially different significant adverse environmental impacts. Further discussion at this time of the impacts that might result from building an additional public safety facility would be speculative.

**Impact C-SER-1:** The cumulative projects would increase the demand for emergency services and may result in the need for new or expanded facilities. The construction of new fire stations would require environmental review once they are proposed. The construction of new facilities would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. **[Less than Significant Impact]**

### **6.3.14.3** *Parks and Recreation Cumulative Impacts*

The City operates an extensive system of parks and recreational facilities throughout the City. On a City-wide basis, there are 156 neighborhood parks, 14 community gardens, nine regional parks, three golf courses, and 23 community centers. There are also senior centers, youth centers, and a network of trails and pathways. These facilities are supplemented by those of local schools and the County, as well as a number of trails on lands along creeks that are owned by the SCVWD.

The City's General Plan has established level of service benchmarks for parks and community centers. The City has a service level objective of 3.5 acres of neighborhood and community serving recreational lands per 1,000 residents, of which a minimum is 1.5 acres of City-owned and up to 2 acres of school playgrounds, and all of which are located within a reasonable walking distance from the surrounding residences. In addition, the City seeks to provide 7.5 acres of regional/City-wide parkland per 1,000 residents and 500 square feet of community center floor area per 1,000 residents.

In November of 2000, the voters of San José overwhelmingly approved the passage of two general obligation bond measures. Seventy-five (75) of the 96 Park Bond projects have been delivered to residents of San José as part of the Safe Neighborhood Parks and Recreation Bond.

Assuming the city average of 3.2 persons per household, the approximately 41,000 additional dwelling units associated with the proposed cumulative projects would result in approximately 131,200 residents and a corresponding cumulative demand for approximately 460 acres of neighborhood serving parks, 985 acres of regional parkland, and 65,600 square feet of community center space. The projects proposing higher density residential development will produce fewer residents than the City-wide average noted, typically 2.29 for high density housing, and so the actual cumulative demand for parkland is likely to be less than described above.

The PDO and PIO allows applicants to receive up to 50% credits towards the parkland dedication requirements for private recreation improvements included as part of the project. Low to extremely-low income restricted units are exempt from the requirements of the PDO and PIO, and therefore the number of park acres provided by new development is reduced. The Greenprint noted the City will need to add 931 acres of neighborhood and community parklands by 2020 to serve a community of 1.1 million. The development of the cumulative projects will collectively add to the need for additional parklands to serve the City of San Jose because the PDO and PIO requirements allow developers to receive credits for private recreational facilities and provides park improvements.

Projects of 50 residential units or less under State law are only required to pay the associated in-lieu fees for park development. Furthermore, low to extremely-low income units are exempt from the requirements of the PDO and PIO, and therefore add to cumulative short-fall of the City providing 3.5 acres of neighborhood and community serving parkland per 1000 population. When counting recreational school lands in conjunction with city owned neighborhood and community serving parklands, and neighborhood and community serving elements of regional parks, the City is providing 3.0 acres per 1,000 population. There is a cumulative impact City-wide associated with parks and recreational facilities, but none of these cumulative projects when implementing the PDO and/or the PIO will exacerbate the problem.

While the increased population associated with the implementation of the cumulative projects would result in increased use of existing parks and trails, such use is not expected to be substantial enough to cause these facilities to deteriorate and no significant adverse physical impact would result. Therefore, while cumulative projects will result in an increase in demand for parks and recreation, they will offset this increased demand through the provision of new and improved parks and open space opportunities. Development of new parks and recreational facilities will be subject to environmental review and is not expected to result in significant environmental impacts. New parks facilities would be developed in the CVSP project area concurrent with the proposed residential development.

**Impact C-SERV-2:** The cumulative projects would increase the demand for parks and recreational opportunities; however, the projects would also construct new facilities that would require environmental review once they are proposed. The construction of parks and recreational facilities would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. **[Less than Significant Cumulative Impact]**

#### **6.3.14.4**      *Library Service Cumulative Impacts*

The City of San José Public Library system consists of a main library, which is located in Downtown San José, and 19 branch libraries located throughout San José. The system is in the midst of adding six new branch libraries and renovating/expanding 14 branch libraries, to be funded by the San José Branch Library Bond Measure, which was approved by voters in November of 2000.

The San José General Plan includes the following level of service goals for libraries: 2.75 volumes (items) held in the San José Public Library system per capita and .59 square feet of library space per capita.

The additional demand for library service resulting from growth allowed by the cumulative projects will impact individual neighborhood branches in the areas where growth would occur, and the Martin Luther King, Jr. Main Library. As population grows and service demands increase, additional library services would be required, which could include some or all of the following:

- expanding the physical size of branches and main library;
- adding new branches;
- enlarging materials collections;
- expanding/redefining collections to accommodate changing technologies;
- increasing staff; and
- providing additional services not currently provided.

Developing new housing in North San José, Evergreen, and Coyote Valley would create a significant new demand that would exceed the resources and service capacity of existing and nearby libraries, and could trigger the need for new libraries in each of the major project areas. The ultimate build-out of these projects is likely, therefore, to include new branch libraries or substantial expansion of existing libraries in these areas of San José. The cumulative projects are planned in geographically distinct areas of the City, and would be served by branch libraries located within their respective project area. This would not contribute to cumulative impacts on branch libraries in other areas of San José.

Since specific sites for the development of additional libraries have not been identified, it cannot be stated conclusively that significant environmental impacts would or would not occur and so further discussion of future potential impacts would be speculative. Subsequent environmental review would be necessary at the time future library locations are identified. The CVSP includes a library for use by future residents. In view of these facts, the contribution of the CVSP to the cumulative increase in demand for library services would be minor.

**Impact C-SERV-3:** The cumulative projects would increase the demand for library facilities; however, the construction of new facilities would require environmental review once they are proposed. The construction of new libraries would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. **[Less than Significant Cumulative Impact]**

#### **6.3.14.5**      *Cumulative Impacts on Schools*

Santa Clara County has 33 public school districts and 345 schools. The major cumulative projects are located in areas of San José serviced by eight school districts:

- San José Unified School District
- East Side Union High School District
- Orchard School District
- Santa Clara Unified School District
- Oak Grove School District
- Evergreen School District
- Mount Pleasant School District
- Morgan Hill Unified School District

The purpose of this cumulative analysis is to forecast the combined effect of the major cumulative projects on school districts where a school district serves more than one of the cumulative projects.

The Orchard School District and Santa Clara Unified School District would be impacted by the recently-approved North San José project. The other major cumulative projects would not contribute students to these districts.

The Oak Grove School District would be impacted by the recently-approved Hitachi project. The other major cumulative projects would not contribute students to this district.

The Evergreen School District and the Mount Pleasant School District would be impacted by the EEHVS.

The Berryessa School District would be impacted by the Flea Market project. The other major cumulative projects would not contribute students to these districts.

The iStar project is located within the service area boundaries of East Side Union and Oak Grove School Districts, but proposes no residential development, and thus, no students would be generated.

The Morgan Hill Unified School District would accommodate the students generated by the CVSP. While the other cumulative projects in Table 6.0-1 would not contribute students to Morgan Hill Unified, there may be pending City of Morgan Hill General Plan amendments that would increase the demand for schools in the Morgan Hill Unified School District. The students generated by the dwelling units to be built under the CVSP are not anticipated to be accommodated by other Santa Clara County school district(s), so the CVSP is not expected to contribute to a cumulative impact to schools in those districts.

### **Morgan Hill Unified School District**

As previously described in Section 4.14.2.3, the Morgan Hill Unified School District (MHUSD) is comprised of 14 schools which serve Morgan Hill, San Martin, southern portions of San José, and unincorporated areas of Santa Clara County. As previously described, there are no major cumulative projects in San José that would result in additional students attending MHUSD schools.

According to the Association of Bay Area Governments (ABAG),<sup>81</sup> the number of dwelling units in the sphere of influence of the City of Morgan Hill is expected to increase from 13,530 in 2005 to 16,790 in 2030. According to the MHUSD's student generation rate of 0.72, this increase (approximately 3,260 dwelling units) would generate approximately 2,350 new students. The proposed CVSP project would generate approximately 10,676 students, of which approximately 5,750 would be elementary students (grades K-6), 1,640 would be middle school students (grades 7-8) and 3,285 would be high school students (grades 9-12).<sup>82</sup> The proposed project therefore, includes the construction of up to 13 new schools in the Development Area (two high schools, two middle schools, and nine elementary schools at build-out of the CVSP. These schools are listed in Table 4.14-5.

The MHUSD would experience a cumulative increase in students from future development in their district boundary. Future development of these schools would require environmental review prior to construction. The environmental impacts associated with the construction of schools in the CVSP, are described as part of the proposed project and discussed in the appropriate sections of this EIR.

### **School Impact Fees**

The City's ability to plan for school facilities is limited by State law in that cities can no longer require the dedication of school sites in conjunction with the land use entitlement process. State law (Government Code §65996) specifies that the sole method of offsetting a project's effect under

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<sup>81</sup> *Projections 2007, Forecasts for the San Francisco Bay Area to the Year 2035*, ABAG.

<sup>82</sup> The total projected number of students is based on research done by MHUSD and the City of San José on the student generation rates for specific building typologies proposed as part of CVSP.

CEQA on the adequacy of school facilities is the payment to the affected district of a school impact fee prior to issuance of the building permit. The affected school districts are responsible for implementing the specific methods for mitigating school impacts under the Government Code, including setting the school impact fee amount consistent with state law.

Additionally, in November 2006, California voters approved Proposition 1D, which authorizes a bond measure including \$1.9 billion for K-12 school construction with additional funding for existing school facility upgrades and other school-related expenditures. The school impact fees and the school districts' methods of implementing measures specified by Government Code §65996 would partially offset the costs of serving project-related increases in student enrollment.

In the event a school district decides construction of a new facility is warranted to accommodate the new students, future development of one or more schools in one of the cumulative project areas would require supplemental environmental review. There are also specific requirements set by the state for constructing a new school that would have to be met. Since a specific site for such construction cannot be identified at this time, it cannot be stated conclusively that significant environmental impacts would or would not occur. The construction of one or more schools on land in a given project area would contribute incrementally to the impacts of development identified for the project as a whole, but is not anticipated by itself to have new or substantially different significant adverse environmental impacts. Further discussion at this time of the impacts that might result from building one or more schools in a given project area would be speculative.

**Impact C-SERV-4:** The CVSP project and the population growth in Morgan Hill would increase the demand for schools in the MHUSD; however, the construction of new facilities would require environmental review once they are proposed. The construction of new schools would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. **[Less than Significant Cumulative Impact]**

#### **6.3.14.6**      *Avoidance Measures for Cumulative Public Services Impacts*

The cumulative demands upon urban services are collectively substantial, but would not necessarily constitute a significant impact. Impacts on city services, including police protection, fire protection, libraries, parks and recreation, can be reduced or avoided by permitting the approval only of development that does not exceed the City's adopted level of service standards. Under State law, impacts on schools will be mitigated through the payment of school impact fees. New development approvals are required to comply with general plan services and facilities policies.

#### **6.3.14.7**      *Conclusion regarding Cumulative Impacts on the Availability of Urban Services*

**Impact C-SERV-1:** The cumulative increase in demand for police and fire services would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. **[Less than Significant Impact]**

**Impact C-SERV-2:** The cumulative increase in demand for parks and recreational facilities would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. **[Less than Significant Cumulative Impact]**

**Impact C-SERV-3:** The cumulative increase in demand for library services would not result in a cumulative environmental impact, and the proposed CVSP project would not

contribute to a significant cumulative impact. [**Less than Significant Cumulative Impact**]

**Impact C-SERV-4:** The cumulative increase in demand for schools would not result in a cumulative environmental impact, and the proposed CVSP project would not contribute to a significant cumulative impact. [**Less than Significant Cumulative Impact**]