

SECTION 8.0 SIGNIFICANT UNAVOIDABLE IMPACTS

This EIR has identified the following significant unavoidable environmental impacts that would occur under the proposed CVSP project. A statement of overriding considerations will be adopted for all significant unavoidable impacts.

- Impact LU-8:** Implementation of the CVSP would result in significant impacts associated with the loss of visual open space resources. No feasible mitigation measures are available to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**
- Impact LU-10:** Implementation of the CVSP would result in the loss of approximately 2,400 acres of farmland within the Development Area. This EIR describes mitigation that, if determined to be feasible, could reduce this impact to a less than significant level; however, the City is not requiring such mitigation for this project. Therefore, adoption of a statement of overriding considerations will be required. **[Less than Significant Impact if Mitigation is Determined to be Feasible and made a Condition of Approval]**
[Significant Unavoidable Impact if Mitigation is Determined to be Infeasible]
- Impact TRAN-16:** Three future intersections within the CVSP Development Area would operate at LOS E with full build-out of the CVSP. These intersections would be added to the City's list of "protected" intersections; however, impacts would still be significant unavoidable. Adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**
- Impact TRAN-25:** Based on the screenline impact criteria, the proposed CVSP General Plan amendment would result in the V/C and the corresponding increase in traffic volumes on all studied roadway links to exceed the established thresholds of significance. **[Significant Unavoidable Impact]**
- Impact TRAN-26:** The proposed CVSP project's General Plan amendment would result in increases in peak hour trips within Santa Clara County and across the cordon lines of two Special Subareas in excess of impact criteria. **[Significant Unavoidable Impact]**
- Impact NOI-1:** The proposed project would result in construction-related noise impacts in proximity to existing and future residential areas within the CVSP Development Area and the southern Greenbelt. Due to the length of time expected to implement the CVSP, implementation of the mitigation and avoidance measures described above (MM NOI-1.1 through 1.8) would not reduce these impacts to a less than significant level. Approval of the CVSP would require a statement of overriding considerations. **[Significant Unavoidable Impact]**
- Impact NOI-7:** The proposed project would result in significant noise impacts along roadways in areas outside the CVSP Development Area. Implementation of the mitigation and avoidable measures described above (MM NOI-7.1 through 7.4) would reduce these impacts to a less than significant level,

where they are feasible. Because they are not expected to be feasible at all locations, the impact is significant and unavoidable and a statement of overriding considerations would be required for adoption of the CVSP. **[Significant Unavoidable Impact]**

Impact AQ-3: The proposed project would generate regional pollutants in excess of BAAQMD and MBUAPCD significance thresholds. Implementation of standard measures would reduce this impact (MM AQ-3.1 through 3.7), but the impact cannot be reduced to a less than significant level. A statement of overriding considerations will be necessary for long-term regional air quality impacts. **[Significant Unavoidable Impact]**

Impact AQ-6: The proposed project would conflict with current Clean Air planning efforts because it would result in an increase in population in the CVSP Development Area that is not included in the projects used for the 2000 Bay Area Clean Air Plan or the 2005 Ozone Strategy. **[Significant Unavoidable Impact]**

Impact CR-6: While the project proposes to protect the Keesling walnut Heritage Trees during construction and in perpetuity, the loss of any of these trees due to removal or due to construction would be a significant unavoidable impact. The loss of as yet unidentified candidate Heritage Trees would also be significant and unavoidable. **[Significant Unavoidable Impact if Keesling Walnut Trees and candidate Heritage Trees are Removed] [Less than Significant Impact if Keesling Walnut Trees and candidate Heritage Trees are Retained]**

Impact BIO-15: The proposed project could result in impacts to Western Burrowing Owls including take of the species, due to loss of individuals during construction, loss of habitat, increased predation, widening and construction of roadways and nest disturbance. Mitigation measures are described above (MM BIO-15.1 through 15.6) that, if determined to be feasible and made a condition of approval, could reduce this impact to a less than significant level. If the mitigation is determined to be infeasible, the project would result in a significant unavoidable impact and a statement of overriding considerations would be required. **[Less than Significant Impact if Mitigation is Determined to be Feasible and Made a Condition of Approval] [Significant Unavoidable Impact if Mitigation is Determined to be Infeasible]**

Impact BIO-22: The proposed project could result in the loss of at least 888 ordinance-size and candidate Heritage Trees. Trees to be removed will be replaced at the ratios shown in Table 4.6-10 and implementation of the mitigation measures described above (MM BIO-22.1 through 22.4) would reduce these impacts. However, due to the number, sizes, and locations of these trees, their loss is a significant unavoidable impact and a statement of overriding considerations would be required. **[Significant Unavoidable Impact]**

Impact BIO-23: While the project proposes to protect the Keesling walnut trees during construction and in perpetuity, the loss of any of these trees due to removal or construction would be a significant unavoidable impact. Implementation of MM BIO-23.1 through 23.11 would reduce impacts, but not to a less than

significant level. Adoption of a statement of overriding considerations would be required. **[Significant Unavoidable Impact if Keesling Walnut Trees are Removed]**

Impact AES-1: The proposed CVSP will have a substantial adverse effect on existing scenic views in the Coyote Valley area. There is no feasible mitigation available to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**

Impact AES-2: The proposed project will result in damage to scenic resources within view of US 101, a scenic highway. There is no feasible mitigation available to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**

Impact AES-3: The proposed CVSP will substantially change the existing visual and aesthetic character of the Coyote Valley area. There is no feasible mitigation available to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**

Impact AES-4: The proposed CVSP will create a new source of substantial light in the Coyote Valley area. Conformance with the City's Outdoor Lighting Policy would reduce these impacts, but not to a less than significant level. There is no feasible mitigation available to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**

Impact AES-5: The future construction of the BOH roadway would result in significant visual impacts to views from the valley floor and a designated scenic route. Impacts associated with the introduction of new lighting would also be significant. There is no feasible mitigation available to reduce this impact to a less than significant level. Therefore, adoption of a statement of overriding considerations will be required. **[Significant Unavoidable Impact]**

Impact EMR-1: Given projections regarding future electricity and natural gas demands and supplies, construction of the CVSP will result in a significant energy impact. Implementation of the mitigation measures described above (MM ENG-1.1 through 1.8) would reduce this impact to a less than significant level, if they are found to be feasible and are made a condition of approval. If they are found to be infeasible, a statement of overriding considerations would be required. **[Less than Significant Impact if Mitigation is Determined to be Feasible and Made a Condition of Approval] [Significant Unavoidable Impact if Mitigation is Determined to be Infeasible]**

Impact EMR-2: While the nature and location of the proposed land uses would serve to place jobs and housing in proximity to each other and to transit services, and in southern Santa Clara County thus reducing overall commute lengths, the increase in gasoline consumption would be substantial when compared to currently projected gasoline demand. Therefore, adoption of a statement of

overriding considerations will be required. **[Significant Unavoidable Impact]**