

Upper Berryessa Creek Flood Risk Management Project

First Addendum to the Final Environmental Impact Report
for the Off-Site Mitigation Monitoring Plan

State Clearinghouse No. 2001104013

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BACKGROUND

Valley Water partnered with the U.S. Army Corps of Engineers (USACE) to plan and implement flood protection improvements along 2.2 miles of Upper Berryessa Creek in the cities of San Jose and Milpitas, stretching from I-680 downstream to Calaveras Boulevard (referred to herein as the “Upper Berryessa Creek Flood Risk Management Project” or “project”). Improvements related to the project included constructing a floodwall at the area identified as being most in danger of overtopping, excavating sediment and vegetation, enhancing flood passage through culverts and bridges, and improving access for maintenance.

USACE was the Federal project sponsor and Valley Water the local sponsor. USACE was responsible for permitting, contracting, and oversight of construction activities and Valley Water acquired real property needed for the project (including temporary and permanent easements) and is responsible for on-going operation and maintenance of the creek channel following construction completion.

CEQA EIR Process

On October 27, 2001, Valley Water issued a Notice of Preparation (NOP) for the project Environmental Impact Report (EIR). The 30-day scoping period for the project occurred between October 27 and November 27, 2001. A public scoping meeting was held on November 7, 2001, at the City of Milpitas Police Department.

Valley Water released the Draft EIR (DEIR) for review and comment by the public for a 49-day period beginning September 25, 2015, and ending November 12, 2015. The DEIR and Notice of Completion (NOC) were transmitted to the State Clearinghouse on September 24, 2015, and notice of the DEIR’s availability was sent to interested parties. Valley Water received five comment letters on the Draft EIR during the comment period. All public comments were responded to as part of the Final EIR (FEIR) that was published on January 29, 2016. Valley Water’s Board considered and certified the FEIR on February 9, 2016, and a Notice of Determination (NOD) was filed on February 16, 2016.

Project Status

USACE started constructing the project in 2016 and completed work in 2018. In 2017, during the project’s construction, the San Francisco Bay Regional Water Quality Control Board (Regional Board) issued a revised order for the previously issued Water Quality Certification permit. The revised order required additional mitigation in connection with the project, increasing the required planting acreage from 3 to 15 acres. Accordingly, Valley Water explored various options to fulfill the mitigation requirement within the original project area and off-site. In 2023, after exploring other options that were ultimately infeasible, Valley Water began working with the Regional Board to develop a proposed plan for the additional mitigation planting.

The need to implement the mitigation plan to fulfill the Regional Board’s mitigation requirements represents a change to the approved project. This document analyzes the changes to the project and the level of review necessary to fulfill CEQA requirements.

SUMMARY OF PROPOSED CHANGES

The project described in the FEIR included 3 acres of mitigation within the original project area for the temporary removal of wetlands during construction of the approved project. Based on the revised Waste Discharge Requirements issued by the Regional Board on April 28, 2017 Valley Water is required to provide 15 acres or 15,000 linear feet of enhancement to Waters of the State.

To comply with this requirement, Valley Water proposes native herbaceous seeding and woody planting at 12 sites in Milpitas and San Jose in the vicinity of Upper Berryessa Creek located outside of the original project area. This work is detailed in the Off-Site Mitigation Monitoring Plan for the Upper Berryessa Creek Flood Risk Management Project (Off-Site Mitigation Plan) (Attachment 1). The total enhancement area between the 12 sites is approximately 17.11 acres or 11,679 linear feet and includes sites along seven creeks at Arroyo-1a, -1b, -1c, and -2 along Arroyo de los Coches; Calera-1, -2, and -3 along Calera Creek; Lower Berry-1a, -1b, and -2 along Lower Berryessa Creek; Piedmont-1 along Piedmont Creek; Scott-1 and -2 along Scott Creek; Thompson-1a and -1b along Thompson Creek; and Upper Berry-1a and -1b along Upper Berryessa Creek (see Figure 1). These sites and activities identified in Attachment 1 were not identified in the approved project, and therefore this work must be evaluated under CEQA per the requirements outlined in the subsequent section.

CEQA REQUIREMENTS

Under CEQA Guidelines §15162(a), a subsequent EIR is required when changes to circumstances under which a project is undertaken, or new information of substantial importance that was not known at the time of project approval, would result in new significant effects or a substantial increase in the severity of previously identified significant effects:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

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

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

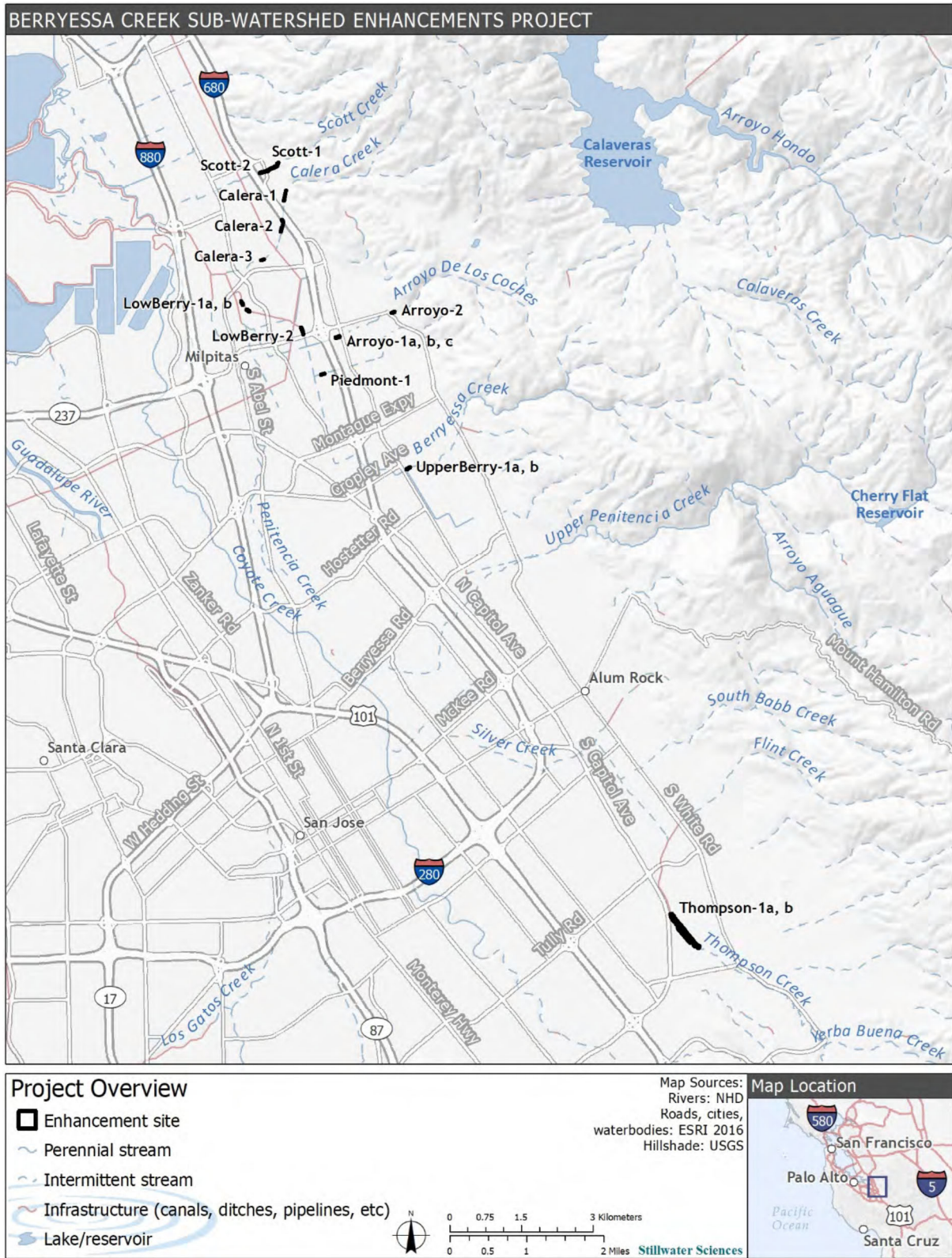


Figure 1. Vicinity and overview map of proposed mitigation enhancement sites.

If none of the thresholds under §15162(a) are triggered, CEQA Guidelines §15164(a) and (b) provide for the use of an EIR Addendum as follows:

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The lead agency's decision to use an Addendum must be supported by substantial evidence that the conditions triggering the preparation of a Subsequent EIR, as provided in CEQA Guidelines §15162, are not present. An Addendum does not need to be circulated for public review, but CEQA requires the decision-making body to consider the Addendum, together with the certified EIR, prior to making a decision on the project per CEQA Guidelines §15164(c) and (d):

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

As demonstrated in the analysis below, the implementation of the Off-Site Mitigation Plan does not implicate any of the conditions outlined in CEQA Guidelines §15162 requiring preparation of a subsequent EIR. The implementation of the Off-Site Mitigation Plan would not result in significant environmental effects beyond those described in the FEIR and would not substantially increase the severity of significant environmental effects analyzed in those documents. New mitigation measures or alternatives that are considerably different from those identified in the FEIR are not necessary to further reduce effects on the environment. Thus, preparation of this Addendum is appropriate under §15164(a) of the CEQA Guidelines.

OFF-SITE MITIGATION PLAN

All 12 sites identified in the Off-Site Mitigation Plan are bounded by residential or commercial development except Calera Creek, which is adjacent to agricultural land on one side. The off-site mitigation sites are in the same urban environment of east San Jose, with most of the sites located 0.1 to 2.5 miles from the Upper Berryessa Creek work area, the Thompson Creek site is about 7 miles from Upper Berryessa Creek. Similar to Upper Berryessa Creek, existing conditions at these sites range from barren or with low vegetative cover to dense native and non-native cover. Many of the enhancement sites are trapezoidal and/or straightened channels that are regularly maintained (e.g., mowing of channel banks, woody vegetation removal, sediment removal). Enhancement sites that are semi-natural include: Arroyo-2, which is confined by flood control walls but is otherwise natural; Calera-1 and -2, which are straightened but have been allowed to recruit vegetation; Scott Creek-1, which was recently restored; and Thompson Creek, which is situated in a wide floodplain. All creeks are narrow, shallow, low-gradient streams. Substrates in the creeks vary from soft-bottom, including sand and gravel, to hard-bottom features, including rip rap and concrete culverts. Habitat types immediately surrounding the creeks range from short, emergent vegetation to overgrown riparian vegetation with almost total canopy cover to sparsely vegetated with invasive grasses and scattered trees. Upland habitats consist of single, or groups of trees, mixed with invasive grassland and patches of bare soil.

Enhancement activities in the Off-Site Mitigation Plan would include:

- Mobilization and staging on existing disturbed and/or barren areas;
- Site preparation, including invasive plant removal and establishment of avoidance fencing around sensitive resources;
- Soil preparation, including decompaction and amendments, as needed;
- Irrigation installation;
- Replacement of property fencing;
- Planting, seeding, and mulch placement;
- Erosion prevention measures; and,
- Maintenance, including regular mowing and weed removal, target invasive species treatment, corrective pruning, replacement seeding and/or planting, and irrigation system maintenance as defined in the Off-Site Mitigation Plan.

These aforementioned activities are to take place at each of the 12 off-site mitigation sites and are described in additional detail in the Off-Site Mitigation Plan. The sites of the Off-Site Mitigation Plan in areas that are covered by the Valley Habitat Plan (Upper Berry-1a, -1b and Thompson-1a, -1b) would be implemented consistent with the provision of the Santa Clara Valley Habitat Conservation Plan (HCP).

Contractors would rely on handheld equipment to remove invasive species, prepare soil for native plant installation, and install temporary above-grade irrigation. Mechanical equipment would be used as needed for chipping and soil preparation of roadway conversion areas. Equipment and machinery would include the following:

- Small manual and mechanical tools (e.g., pruners, pole saws, chainsaws, cut stump dauber, mowers, shovels, and weed whippers)
- Backpack sprayer for herbicide application
- 4x4 truck or SUV for workers and equipment
- Auger (gas or battery operated)
- Chipper
- Ditch witch/skid steer with auger attachment (for soil preparation)
- Roto tiller or ripper attachment
- Small dump truck for soil amendments
- Water truck for irrigation
- Hydroseeder (optional)

Applicable Best Management Practices and Valley Habitat Conservation Plan Conditions

To avoid and minimize adverse effects on the environment from the Off-Site Mitigation Plan, Valley Water would incorporate the measures below from its Best Management Practices (BMPs) Handbook (2025), which provides general technical guidance and standardized procedures that apply to all Valley Water projects. In addition, and also identified below, Valley Habitat Plan Conditions would apply to all work elements within the City of San Jose (Upper Berryessa Creek and Thompson Creek).

BI-4 Minimize Adverse Effects of Pesticides on Non-target Species: “Pesticides” refers to any herbicide, insecticide, rodenticide, algacide, fungicide, or any combination of substances intended to prevent, destroy, or repel any pest. Pesticides will be handled, stored, transported, and used in compliance with any established directions and in a manner that minimizes negative environmental effects on non-target species and sensitive habitats.

The proposed project plan for handling, storing, transporting and using pesticides must be reviewed and approved by both of the following subject matter experts:

1. Valley Water's Pest Control Advisor (a State-certified Qualified Applicator) – the plan will be reviewed, and modified as deemed appropriate, for compliance with: Valley Water policy, label restrictions and any advisories published by the California Department of Pesticide Regulation, the Santa Clara County Division of Agriculture, and the U.S. EPA bulletin Protecting Endangered Species, Interim Measures for Use of Pesticides in Santa Clara County (USEPA 2000).
2. Qualified Valley Water Biologist (as defined in EMAP-30264) – the plan will be reviewed, and modified as deemed appropriate, for compliance with: Valley Water policy, approved environmental review documents, project permits, and avoidance of all known listed (Threatened or Endangered) and sensitive species. Information sources for determination of all known locations of species that may be harmed by pesticides include the District's GIS system and CNDDDB.

Either the Valley Water's Pest Control Advisor or the Qualified Valley Water Biologist may modify the proposed pesticide plan, such as establishing buffer areas or prohibiting the use of pesticides outright, based on site-specific data, current regulatory requirements, and Valley Water policy. The purchase of all pesticides must be approved by Valley Water's Pest Control Advisor to ensure compliance with Valley Water's Control and Oversight of Pesticide Use policy and appropriate regulatory agency reporting requirements.

BI-10 Avoid Animal Entry and Entrapment: All pipes, hoses, or similar structures less than 12 inches diameter will be closed or covered to prevent animal entry. All construction pipes, culverts, or similar structures, greater than 2-inches diameter, stored at a construction site overnight, will be inspected thoroughly for wildlife by a qualified biologist or properly trained construction personnel before the pipe is buried, capped, used, or moved. If inspection indicates presence of sensitive or state or federally listed species inside stored materials or equipment, work on those materials will cease until a qualified biologist determines the appropriate course of action.

To prevent entrapment of animals, all excavations, steep-walled holes or trenches more than 6-inches deep will be secured against animal entry at the close of each day. Any of the following measures may be employed, depending on the size of the hole and method feasibility:

1. Hole to be securely covered (no gaps) with plywood, or similar materials, at the close of each working day, or any time the opening will be left unattended for more than one hour; or
2. In the absence of covers, the excavation will be provided with escape ramps constructed of earth or untreated wood, sloped no steeper than 2:1, and located no farther than 15 feet apart; or
3. In situations where escape ramps are infeasible, the hole or trench will be surrounded by filter fabric fencing or a similar barrier with the bottom edge buried to prevent entry.

BI-11 Minimize Predator-Attraction: Remove trash daily from the worksite to avoid attracting potential predators to the site.

WQ-4 Limit Impacts from Staging and Stockpiling Materials:

1. To protect on-site vegetation and water quality, staging areas should occur on access roads, surface streets, or other disturbed areas that are already compacted and only support ruderal vegetation. Similarly, all equipment and materials (e.g., road rock and project spoil) will be contained within the existing service roads, paved roads, or other pre-determined staging areas.
2. Building materials and other project-related materials, including chemicals and sediment, will not be stockpiled or stored where they could spill into water bodies or storm drains.
3. No runoff from the staging areas may be allowed to enter water ways, including the creek channel or storm drains, without being subjected to adequate filtration (e.g., vegetated buffer, swale, hay wattles or bales, silt screens).
4. The discharge of decant water to water ways from any on-site temporary sediment stockpile or storage areas is prohibited.
5. During the wet season, no stockpiled soils will remain exposed, unless surrounded by properly installed and maintained silt fencing or other means of erosion control. During the dry season, exposed, dry stockpiles will be watered, enclosed, covered, or sprayed with non-toxic soil stabilizers.

WQ-11 Maintain Clean Conditions at Work Sites: The work site, areas adjacent to the work site, and access roads will be maintained in an orderly condition, free and clear from debris and discarded materials on a daily basis. Personnel will not sweep, grade, or flush surplus materials, rubbish, debris, or dust into storm drains or waterways. For activities that last more than one day, materials or equipment left on the site overnight will be stored as inconspicuously as possible and will be neatly arranged. Any materials and equipment left on the site overnight will be stored to avoid erosion, leaks, or other potential impacts to water quality. Upon completion of work, all building materials, debris, unused materials, concrete forms, and other construction-related materials will be removed from the work site.

WQ-15 Prevent Water Pollution: Oily, greasy, or sediment laden substances or other material that originate from the project operations and may degrade the quality of surface water or adversely affect aquatic life, fish, or wildlife will not be allowed to enter, or be placed where they may later enter, any waterway. The project will not increase the turbidity of any watercourse flowing past the construction site by taking all necessary precautions to limit the increase in turbidity as follows:

1. where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases will not exceed 5 percent;
2. where natural turbidity is greater than 50 NTU, increases will not exceed 10 percent;
3. where the receiving water body is a dry creek bed or storm drain, waters in excess of 50 NTU will not be discharged from the project.

Water turbidity changes will be monitored. The discharge water measurements will be made at the point where the discharge water exits the water control system for tidal sites and 100 feet downstream of the discharge point for non-tidal sites. Natural watercourse turbidity measurements will be made in the receiving water 100 feet upstream of the discharge site. Natural watercourse turbidity measurements will be made prior to initiation of project discharges, preferably at least 2 days prior to commencement of operations.

WQ-16 Prevent Stormwater Pollution: To prevent stormwater pollution, the applicable measures from the following list will be implemented:

1. Soils exposed due to project activities will be seeded and stabilized using hydroseeding, straw placement, mulching, and/or erosion control fabric. These measures will be implemented such that the site is stabilized, and water quality protected prior to significant rainfall. In creeks, the channel bed and areas below the Ordinary High-Water Mark are exempt from this BMP.
2. The preference for erosion control fabrics will be to consist of natural fibers; however, steeper slopes and areas that are highly erodible may require more structured erosion control methods. No non-porous fabric will be used as part of a permanent erosion control approach. Plastic sheeting may be used to temporarily protect a slope from runoff, but only if there are no indications that special-status species would be impacted by the application.
3. Erosion control measures will be installed according to manufacturer's specifications.
4. To prevent stormwater pollution, the appropriate measures from, but not limited to, the following list will be implemented:
 - Silt Fences
 - Straw Bale Barriers
 - Brush or Rock Filters
 - Storm Drain Inlet Protection
 - Sediment Traps or Sediment Basins
 - Erosion Control Blankets and/or Mats
 - Soil Stabilization (i.e., tackified straw with seed, jute or geotextile blankets, etc.)
 - Straw mulch.
5. All temporary construction-related erosion control methods shall be removed at the completion of the project (e.g. silt fences).
6. Surface barrier applications installed as a method of animal conflict management, such as chain link fencing, woven geotextiles, and other similar materials, will be installed no longer than 300 feet, with at least an equal amount of open area prior to another linear installation

WQ-17 Manage Sanitary and Septic Waste: Temporary sanitary facilities will be located on jobs that last multiple days, in compliance with California Division of Occupational Safety and Health (Cal/OSHA) regulation 8 California Code of Regulations 1526. All temporary sanitary facilities will be located where overflow or spillage will not enter a watercourse directly (overbank) or indirectly (through a storm drain).

TR-1 Incorporate Public Safety Measures: Fences, barriers, lights, flagging, guards, and signs will be installed as determined appropriate by the public agency having jurisdiction, to give adequate warning to the public of the construction and of any dangerous condition to be encountered as a result thereof.

HCP Condition 1. Avoid Direct Impacts on Legally Protected Plant and Wildlife Species

Contra Costa goldfields is a federally endangered and California Native Plant Society (CNPS) 1B plant species whose extreme rarity precludes coverage under the Habitat Plan. Because the Habitat Plan does not cover the species, compliance is required on an individual basis.

Several wildlife species that occur in the study area are listed as fully protected, as defined under Sections 3511 and 4700 of the California Fish and Game Code. As described in Chapter 1, CDFG cannot issue permits for take. Fully protected species that are known or likely to occur in the study area:

- Golden eagle
- Bald eagle
- American peregrine falcon
- Southern bald eagle
- White-tailed kite
- California condor
- Ring-tailed cat (= ringtail).

All migratory bird species and their nests are protected under the Migratory Bird Treaty Act (MBTA).

HCP Condition 3. Maintain Hydrologic Conditions and Protect Water Quality

Protect water quality by preventing and reducing the adverse impacts of stormwater pollutants and increases in peak runoff rate and volume.

HCP Condition 4. Avoidance and Minimization for In-Stream Projects

Identify design requirements and construction practices for in-stream projects to minimize impacts on riparian and aquatic habitat.

HCP Condition 5. Avoidance and Minimization Measures for In-Stream Operations and Maintenance

Identify and apply appropriate measure to reduce impacts on stream and riparian land cover types and covered species when conducting operations and maintenance activities.

HCP Condition 12. Wetland and Pond Avoidance and Minimization

Identify design requirements and construction practices to minimize impacts on wetland habitat.

HCP Condition 15. Western Burrowing Owl

Surveys will be conducted for western burrowing owls, and avoidance and minimization measures will be implemented if they are detected.

MITIGATION MEASURES FROM FEIR

The following mitigation measures were previously approved in the FEIR would be implemented as part of the Off-Site Mitigation Plan unless otherwise noted.

AIR-A REDUCE CONSTRUCTION-PERIOD DUST EMISSIONS

The following measures will be implemented during construction to reduce particulate emissions. Many of these measures would also reduce NOx emissions.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- Water used to wash the various exposed surfaces (e.g., parking areas, staging areas, soil piles, and graded areas) would not be allowed to enter waterways.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations), and this requirement shall be clearly communicated to construction workers (such as verbiage in contracts and clear signage at all access points).

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications, and all equipment shall be checked by a certified visible emissions evaluator.
- Correct tire inflation shall be maintained in accordance with manufacturer's specifications on wheeled equipment and vehicles to prevent excessive rolling resistance.
- Post a publicly visible sign with a telephone number and contact person at the lead agency to address dust complaints; any complaints shall be responded to and corrective action shall be taken within 48 hours. In addition, a BAAQMD telephone number with any applicable regulations would be included.
- Install one or more of the following track-out prevention measures:
 - A gravel pad designed using good engineering practices to clean the tires of exiting vehicles,
 - A tire shaker,
 - A wheel wash system, Pavement extending for not less than 50 feet from the intersection with the paved public road,
 - Suspend any excavation operations when wind speeds are high enough to result in dust emissions across the property line, despite the application of dust mitigation measures.
 - Any other measure(s) as effective as the measures listed above.

AIR-B REDUCE CONSTRUCTION EQUIPMENT EMISSIONS

The following measures will be implemented during construction:

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation.
- Use on-road heavy-duty trucks that meet CARB's 2007 or cleaner certification standard for onroad heavy-duty diesel engines, and comply with the State On-Road Regulation.
- All on and off-road diesel equipment (except diesel generators) shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit.
- Diesel idling within 1,000 feet of sensitive receptors is not permitted.
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- Use electric equipment when feasible.
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible.
- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
- All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for reductions of NOx and PM emissions.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications, and all equipment shall be checked by a certified visible emissions evaluator.
- Correct tire inflation shall be maintained in accordance with manufacturer's specifications on wheeled equipment and vehicles to prevent excessive rolling resistance.

BIO-A PERFORM PRE-CONSTRUCTION NESTING BIRD SURVEYS AND ESTABLISH APPROPRIATE BUFFERS

Prior to construction and during the nesting season (generally mid-April to late July), a qualified biologist will perform nesting bird surveys following established protocols. If nests are detected at staging areas and construction sites during these surveys, a 50-foot no-construction buffer will be delineated around the nest until young have fledged (300-foot buffer for raptors). This measure is consistent with Recommendation 3 contained in the USFWS CAR (USFWS, 2013).

BIO-D PROVIDE BUFFER AROUND RIPARIAN TREES

Tree protection will be included in the project construction plans and specifications and will specify a buffer area around the bases of riparian trees located on the southwest corner of the upstream bend in Reach 4. The buffer area will protect roots of the trees by establishing a zone from the base of the trees within which potentially damaging actions will not occur, including excavation, placement of rock revetment or other bank stabilizing features. In cases where there are multiple trees that would be protected in this way, a single buffer zone may be established to encompass all trees in that area.

CUL-B PREPARE AND IMPLEMENT AN ARCHAEOLOGICAL MONITORING AND UNANTICIPATED DISCOVERY PLAN

Construction activities that involve ground disturbance will be monitored by a professional archaeologist. Archaeological monitoring protocols and standards for the project, including “halt work” areas surrounding unanticipated discoveries, will be documented in an Archaeological Monitoring and Unanticipated Discovery Plan, to be approved by Valley Water prior to construction. At a minimum, the plan will include:

- A cultural and archaeological context for the project and any unanticipated discoveries;
- Definitions of areas and depths to be monitored;
- Identification of archaeological resources;
- Protocols to be completed in the event of an unanticipated discovery, including notifications and assessment of the find’s significance; and
- Protocols for treatment of human remains.

HWM-A PREPARE AND IMPLEMENT A SPILL PREVENTION AND RESPONSE PLAN

To avoid and minimize potential accidental spills during construction a project-specific Spill Prevention and Response Plan (SPRP) will be prepared that conforms to applicable local, State, and Federal requirements. The SPRP will be kept on-site during construction and distributed to all workers and managers prior to construction. The SPRP will include measures that ensure the safe handling, use, storage, transport, and disposal of hazardous materials used or encountered during construction. The construction contractors will be required to comply with the SPRP and applicable Federal, State, and local laws. The plan will outline measures for specific handling and reporting procedures for hazardous materials and disposal of hazardous materials removed from the site at an appropriate off-site disposal facility.

HWM-B PREPARE AND IMPLEMENT EMERGENCY EVACUATION PLAN

Prior to construction an emergency response plan will be developed in consultation with the Milpitas and San Jose emergency response agencies, including Fire and Police Departments. The emergency response plan will identify locations where traffic may be restricted due to project activities, and will include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. The plan will also include provisions for expediting emergency vehicles through construction zones, particularly during periods when partial lane closures are scheduled.

REC-A PREPARE AND PROVIDE DETOUR SIGNAGE FOR PEDESTRIANS AND CYCLISTS

To mitigate the effects of displacing the unauthorized use of the access roads by pedestrians and cyclists, signs would be placed identifying the duration of construction and potential detour routes.

WAQ-C PREPARE AND IMPLEMENT A RAIN EVENT ACTION PLAN

In-channel construction activities will be suspended and a project-specific Rain Event Action Plan (REAP) will be implemented if substantial rainfall, defined as 0.5 inch or greater precipitation, is forecast by the National Weather Service in their 72-hour forecast for the project area. The REAP will be prepared by a qualified SWPPP practitioner and will comply with standards of the California Stormwater Quality Association Best Management Practices Handbook. The REAP will include measures to prevent adverse effects of water flows at construction areas, such as removal of equipment, vehicles, and materials from the channel; protection of exposed and disturbed areas; and isolation of uncured concrete from water flows. Additionally, start of construction phases taking more than 72 hours to complete will not occur if substantial rainfall is forecast.

ENVIRONMENTAL ANALYSIS

The following analysis evaluates the potential environmental impacts of the Off-Site Mitigation Plan relative to the environmental impacts disclosed in the FEIR.

Aesthetics

2016 FEIR

The FEIR concluded that the approved project would result in no impacts on scenic vistas, scenic resources, or create a new source of substantial light or glare and that the approved project would result in a less than significant impact on visual character. Construction of the project would have effects on scenic resources resulting from temporary removal of vegetation, earthwork, and general reduction in scenic quality resulting from the presence of construction equipment. Visual quality would be improved overall following completion of the proposed project due to the expansion of the channels, sloping and stabilization of the banks, and re-establishment of native vegetation along banks. Although impacts to visual character would be less than significant, the FEIR noted that Mitigation Measure BIO-B, which addresses replacement of native trees and shrubs removed during construction, would further reduce visual impacts.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
AES-1 Have a substantial adverse effect on a scenic resource.	No Impact	No change

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
AES-2 Substantially damage scenic resources, including trees, rock outcropping, and historic buildings within a State Highway	No Impact	No change
AES-3 Significantly degrade the existing visual character or quality of the site and its surroundings	Less than Significant for Construction and Operations	Less Impact
AES-4 Create a new source of substantial light or glare that would adversely affect daytime or nighttime views or affect people or properties	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan would support the implementation of Mitigation Measure **BIO-B** in planting of native trees and shrubs. The Off-Site Mitigation Plan would occur in the same general area as the project and would not result in effects on a scenic vista or substantial damage to scenic resources. Further, the Off-Site Mitigation Plan would not create a source of new light or glare as no work is proposed at night, and no sources of glare would be created. The Off-Site Mitigation Plan would have similar impacts from the temporary removal of vegetation and general reduction in scenic quality resulting from the presence of construction equipment, although the Off-Site Mitigation Plan would bring less equipment to the site compared to the original project. Therefore, the aesthetic impacts from the Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of impacts on visual resources beyond those identified in the FEIR.

Air Quality

2016 FEIR

The FEIR concluded that emissions resulting from construction activities would have no impact and would not conflict with an applicable air quality plan. Further the project would have less than significant impacts related to exposure of sensitive receptors to substantial pollutant concentrations and the generation of odors.

The approved project included channel excavation, construction of floodwalls, and replacement of Union Pacific Railroad (UPRR) trestles, which generated short-term emissions of ROG, NOx, PM₁₀, PM_{2.5}, and CO. Particulate emissions were modeled below significance thresholds, but NOx emissions from construction was above the applicable significance threshold. After implementation of Mitigation Measures **AIR-A** and **AIR-B**, and assuming up to 20 percent reduction of NOx emissions through use of Best Available Technology in all vehicles, the approved project still resulted in significant and unavoidable emissions of NOx during construction. The FEIR determined that emissions of air pollutants from maintenance and operations would be negligible and have a less than significant impact from emissions.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
AIR-1. Conflict with or obstruct implementation of the applicable air quality plan(s)	No Impact	No change
AIR-2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation	Less than Significant for Operations	No change
AIR-3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under applicable Federal or State ambient air quality standard	Less than Significant for Operations	No change
AIR-4. Expose sensitive receptors to substantial pollutant concentrations	Less than Significant for Construction and Operations	No change
AIR-5. Create objectionable odors affecting a substantial number of people	Less than Significant for Construction and Operations	Less Impact

Off-Site Mitigation Plan

The Off-Site Mitigation Plan would have similar impacts to those from operations and maintenance discussed in the FEIR as it involves similar planting and landscaping activities. The Off-Site Mitigation Plan utilizes substantially less equipment than the approved project and therefore would not result in an increase in impacts to air quality plans, air quality standards, criteria pollutants, and pollutant concentrations. Further, the approved project operations involved the removal of sediments from the creek that could generate odors. Sediment removal is not a part of the Off-Site Mitigation Plan and no odor impacts from sediments would occur. The FEIR determined that operation and maintenance activities were less than significant for criteria pollutants. Although not required to mitigate less than significant impacts, the Off-Site Mitigation Plan would implement Mitigation Measures **AIR-A** and **AIR-B** from the FEIR to minimize air quality impacts from dust and emissions from construction equipment.

Accordingly, the Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant air quality impacts beyond those identified in the FEIR.

Agriculture and Forestry

2016 FEIR

There are no agricultural or forest lands within the project area or vicinity that are subject to Federal, State, or local protections. Therefore, neither construction nor maintenance and operation of the project would result in impacts to agriculture or forestry resources.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
Ag/For-1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use	No Impact	No change
Ag/For-2 Conflict with existing zoning for agricultural uses or a Williamson Act contract	No Impact	No change
Ag/For-3 Result in the loss of forest land or conversion of forest land to non-forest use	No Impact	No change
Ag/For-4 Conflict with existing zoning, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Protection	No Impact	No change
Ag/For-5 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan would occur in the same urban environment of east San Jose. The Calera Creek sites are adjacent to an agricultural parcel, but the activities would not impact agricultural uses as planting would be restricted to Valley Water property on the levees and would not introduce restrictions to agricultural uses. The Off-Site Mitigation Plan would have similar impacts to agricultural and forestry resources as the approved project.

Biological Resources

2016 FEIR

The approved project area is highly disturbed, and habitat complexity is minimal. Pre-existing disturbances in the form of noise, traffic, maintenance actions, and human presence diminish the potential that the project area would host special status species. The FEIR determined the approved project would have less than significant impacts to sensitive species and wetlands and that the project would not conflict with an adopted habitat conservation or natural community conservation plans.

The FEIR found potential impacts to riparian habitat and wildlife corridors from construction based on the removal of 45 native trees and shrubs. The small creeks in the project area that flow to lower Coyote Creek (including Scott, Calera, Tularcitos, Arroyo, Lower and Upper Berryessa, and Thompson creeks) serve as dispersal corridors for terrestrial wildlife, so construction may have temporarily impaired the ability of wildlife to move between the upper and lower parts of the watershed. The FEIR proposed mitigation to establish buffers during construction to prevent damage to active nests. Mitigation Measure **BIO-A** was included to reduce impacts to migratory birds to less than significant. Mitigation Measure **BIO-B** was included to reduce impacts to trees and shrubs to less than significant by requiring replacement of native trees and shrubs. Mitigation Measure **BIO-D** further reduced impacts to riparian habitat by providing buffers around riparian

trees. Although impacts to grasslands were found to be less than significant, the FEIR included Mitigation Measure **BIO-C** to further reduce this impact by requiring the use of native grasses and forbs for hydroseeding disturbed areas. In addition, the FEIR determined that operations and maintenance would not adversely impact riparian habitat, wetlands, or migration or dispersal of wildlife.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
BIO-1. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.	Less than Significant for Construction and Operations	No change
BIO-2. Have a substantial adverse and unmitigated effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW, or USFWS or healthy stands of trees and shrubs.	Less than Significant from operations	No change
BIO-3. Have a substantial adverse and unmitigated effect on Federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, and coastal) through direct removal, filling, hydrological interruption, or other means	Less than Significant from operations	No change
BIO-4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	No Impact from operations	No change
BIO-5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	No Impact from operations	No change
BIO-6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan.	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan would be implemented in similar habitat to the approved project and subject to the same types of disturbances as the approved project. Habitat types immediately surrounding the creeks range from short emergent vegetation to overgrown riparian vegetation with almost total canopy cover to sparsely vegetated with invasive grasses and scattered trees. The elements of the Off-Site Mitigation Plan within the City of San Jose are subject to the Valley Habitat Plan (sites Upper Berry-1a, -1b and Thompson-1a, -1b) and would be implemented consistent with the provision of the Santa Clara Valley Habitat Conservation Plan.

The Off-Site Mitigation Plan is designed to enhance riparian and adjacent habitats throughout the lower Coyote Creek watershed. The Mitigation Plan would result in a net ecological gain through active restoration and enhancement of wetland and riparian habitats from the planting of native species. The enhancement of wetland and riparian habitats would provide improved conditions

for wildlife, including increased habitat complexity, food resources, and cover.

The physical impact of the Off-Site Mitigation Plan would be similar to the operation and maintenance activities of the approved project involving mowing, chemical control, and/or hand pulling of invasive plants; shallow tilling and soil preparation for planting of native vegetation; and the decommissioning of maintenance roads along Arroyo and Scott creeks. These activities would not cause impacts to sensitive species; wetlands, riparian, and grassland habitats; resident fish and wildlife; and local ordinances would not result in new significant impacts or substantially increase the severity of significant biological impacts beyond those identified in the FEIR.

As with the activities in the approved project, activities associated with the Off-Site Mitigation Plan could impact nesting birds and adjacent riparian vegetation. Disturbance of nesting birds is considered a significant impact, as would damage to existing trees. Mitigation Measures **BIO-A** and **BIO-D** from the FEIR would be implemented to ensure impacts to nesting birds are avoided and risk to existing trees is minimized to a less than significant level. No native trees would be removed under the Off-Site Mitigation Plan, the purpose of the plan is to plant native vegetation, and no work would occur in creek channels. Accordingly, Mitigation Measures **BIO-B**, **BIO-C** and **BIO-E** from the FEIR are not applicable to work contemplated in the Off-Site Mitigation Plan.

The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to biological resources beyond those identified in the FEIR.

Cultural Resources

2016 FEIR

The FEIR concluded that the approved project would result in less than significant impacts with mitigation related to historical and archaeological resources and human remains. The approved project included extensive grading and ground disturbance during construction including work in and around known archaeological site CA-SCL-593 which necessitated Mitigation Measure **CUL-A**, which required the development of a Historic Properties Management Plan specific to the site. Impacts on cultural resources during operations and maintenance, including the mechanical planting of seed vegetation, were determined to be less than significant.

Resource Impact	Level of Impact in FEIR (with Mitigation, If Applicable)	Impact of Off-Site Mitigation Plan in relation to FEIR
CUL-1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5	Less than Significant from operations	Less Impact
CUL-2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5	Less than Significant from operations	Less Impact
CUL-3. Directly or indirectly destroy a unique paleontological resource or unique geological feature	No Impact	No change

Resource Impact	Level of Impact in FEIR (with Mitigation, if Applicable)	Impact of Off-Site Mitigation Plan in relation to FEIR
CUL-4. Disturb any human remains, including those interred outside of formal cemeteries	Less than Significant from operations	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan involves activities similar to those described for operations and maintenance in the FEIR and is limited to shallow tilling and soil preparation and the decommissioning of maintenance roads along Arroyo and Scott creeks for planting of native vegetation. Impacts from operations and maintenance were determined to be less than significant. Although not required to mitigate less than significant impacts, the Off-Site Mitigation Plan would implement Mitigation Measure **CUL-B** from the FEIR in the event unanticipated discoveries are encountered. However, as the Off-Site Mitigation Plan is not near archaeological site CA-SCL-593, or any known archeological site, Mitigation Measure **CUL-A** is not necessary. The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to cultural resources beyond those identified in the FEIR.

Geology and Soils

2016 FEIR

The FEIR concluded that failure of the culvert at the existing Union Pacific Railroad (UPRR) trestle site, which was impacted as part of the original project, could result in loss, injury, or death during a large seismic event. Ground-disturbing activities during the original project could have resulted in soil erosion or loss of topsoil in areas both within the channel and affected upland areas. Mitigation Measure **WAQ-C** was included to mitigate soil erosion and loss of topsoil during substantial rain events by prescribing measures to stabilize soil in disturbed areas and prevent stockpiled material from washing into waterways. Further, the FEIR determined that as the project site is very flat, with slopes limited to the banks of the channel, the approved project would have a less than significant impact from unstable geologic units or expansive soils.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
GEO-1. Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving: <ul style="list-style-type: none"> • Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault zoning map issued by the State Geologist for the area or based on other substantial evidence of a known fault; • Strong seismic ground shaking; • Seismic related ground failure including liquefaction; or • Landslides 	No Impact from operations	No change

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
GEO-2. Result in substantial soil erosion or the loss of topsoil.	Less than Significant from operations	No change
GEO-3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse	No Impact from operations	No change
GEO-4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property	No Impact from operations	No change
Geo-5 Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater.	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan involves similar activities as described for the operations and maintenance in the FEIR, including shallow tilling and soil preparation and the decommissioning of maintenance roads along Arroyo and Scott creeks for planting of native vegetation, and could result in similar impacts to soil erosion as with the project. Although not required to mitigate less than significant impacts, the Off-Site Mitigation Plan will implement Mitigation Measure **WAQ-C** to ensure impacts from soil erosion are minimized. As with operation and maintenance activities described in the FEIR, the Off-Site Mitigation Plan would not include actions that increase the risks to life and property from ground shaking, fault rupture, liquefaction and expansive soil; therefore, no impacts would result.

The Off-Site Mitigation Plan would not affect the UPRR trestle bridge, therefore Mitigation Measure **GEO-A** from the FEIR is not necessary.

The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to unstable geologic units beyond those identified in the FEIR.

Greenhouse Gas Emissions and Energy

2016 FEIR

The approved project resulted in temporary greenhouse gas (GHG) emissions from combustion associated with on- and off-road equipment. CO₂ emissions were estimated to be approximately 2,000 tons. Proposed mitigation measures **AIR-A and AIR-B** reduced construction-period emissions of CO₂ by up to 20 percent but did not reduce CO₂ emissions below the significance threshold. Operation and maintenance activities were determined to be less than significant and result in far less greenhouse gas emissions than the 1,210 tons/year used in the analysis.

The project was compliant with Goal 12 of City of Milpitas Climate Action Plan in that many of the construction or demolition materials were recycled, and most materials were locally sourced. Although the City of San Jose’s Greenhouse Gas Reduction Strategy did not apply specifically to flood protection projects, the project was still consistent with its recommended measures to reduce wastes, recycle materials and use recycled materials, and energy efficient construction equipment.

Construction for the approved project resulted in the use of fossil fuels to power construction machinery, haul trucks, and machinery used in the disposal of construction debris. In general, the construction contractor used efficient machinery and maintained equipment to use the least amount of energy possible. Although energy related impacts were determined to be less than significant for both construction and maintenance and mitigation was not required, Mitigation Measures **AIR-A and AIR-B** further reduced fuel energy consumed in the construction phase. Operation and maintenance activities were determined to use less energy than FEIR baseline conditions due to a reduction in anticipated sediment removal.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
GHG-1. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment	Less than Significant from operations	No change
GHG-2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	Less than Significant from operations	No change
EN-1. Use energy in an inefficient, wasteful, or unnecessary manner	Less than Significant from operations	No change
EN-2. Result in an increased reliance on fossil fuels and decreased reliance on renewable energy sources	Less than Significant from operations	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan is similar in scope to the operations and maintenance as described in the FEIR involving light ripping of soils for seeding and the planting of vegetation. Accordingly, the Off-Site Mitigation Plan would have similar greenhouse gas emissions to operations and maintenance analyzed in the FEIR and would not use energy in a wasteful manner. Vegetation removed as part of the Off-Site Mitigation Plan would be chipped on-site in upland areas or brought to green waste facilities. As such, it would also not conflict with the GHG reduction policies for Milpitas and San Jose.

The FEIR determined that the project’s operation and maintenance activities were less than significant. With the Off-Site Mitigation Plan, the impacts would remain less than significant in connection with greenhouse gas emissions. In addition, implementation of Mitigation Measures **AIR-A and AIR-B** from the FEIR, would further minimize greenhouse gas emissions and the use of energy. The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to greenhouse gas emissions beyond those identified in the FEIR.

Hazardous Materials

2016 FEIR

The FEIR determined that the approved project would not result in impacts related to hazardous materials within a quarter mile of a school and would not be located on a site included in the list of hazardous materials sites compiled pursuant to Government Code §65962.5, within 2 miles of an airport, or within a wildland/urban interface.

The approved project had potential adverse effects regarding hazardous materials and hazardous wastes associated with (1) accidental release to the environment of hazardous materials by construction and maintenance equipment and management practices, and (2) incidental exposure of project workers and the public to existing hazardous materials in the soil and groundwater inadvertently encountered during construction of the proposed improvements. To reduce the risk of impacts, the approved project implemented Mitigation Measure **HWM-A** to prepare a spill prevention and response plan. Further, Mitigation Measure **HWM-C** was implemented for portions of the project's construction that included grading over TCE and PCE groundwater plumes. HWM-C required the treatment of VOC-contaminated groundwater at the JCI site.

Impacts from use of hazardous materials and the release of hazardous materials into the environment based on operations and maintenance activities were determined to be less than significant.

The FEIR determined the project would have a less than significant impact on adopted emergency response plans. Although not required to mitigate less than significant impacts, Mitigation Measures **TRA-A** and **HWM-B** were implemented to further reduce the impact. Under these mitigation measures, a traffic management plan (TRA-A) as well as an emergency evacuation plan (HWM-B) were developed to ensure that emergency vehicles had priority access during construction. Impacts to emergency plans from operations and maintenance activities were determined to be less than significant.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
HWM-1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or hazardous wastes	Less than Significant from operations	No change
HWM-2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment	Less than Significant from operations	No change
HWM-3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school	No Impact	No change
HWM-4. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would create a significant hazard to the public or the environment	No Impact	No change

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
HWM-5. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area	No Impact	Greater Impact, but not significant
HWM-6: For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area	No Impact	No change
HWM-7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan	No Impact from operations	No change
HWM-8. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	No Impact	No change

Off-Site Mitigation Plan

Implementation of the Off-Site Mitigation Plan would not result in impacts related to hazardous materials within a quarter mile of a school, would not occur on a site included in the list of sites compiled pursuant to Government Code §65962.5, or be within a wildland/urban wildfire interface. Impacts to this resource area would be the same as identified in the approved project. The Thompson Creek site of the Off-Site Mitigation Plan is within the airport plan for Reid-Hillview Airport; however, this proximity would not result in a safety hazard to aircraft or to personnel working at the site. The Thompson Creek site is outside the 60 Community Noise Equivalent Level generated by airport operations, and no new structures or population would be created by the Off-Site Mitigation Plan. The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts related to airport operations.

The Off-Site Mitigation Plan would utilize similar equipment and associated chemicals as identified in the operation and maintenance of the original project and would have a similar less than significant impact from the accidental release of hazardous materials related to implementation. Although the impact was determined to be less than significant and thus no mitigation is required, the Off-Site Mitigation Plan’s implantation of Mitigation Measure **HWM-A** from the FEIR would further minimize the impact from the use of hazardous materials. The Off-Site Mitigation Plan would not involve large-scale grading that may encounter contaminated groundwater and would not occur in areas with known contaminated groundwater plumes, as such, the implementation of Mitigation Measure **HWM-C** is not necessary.

The Off-Site Mitigation Plan would not result in large trucks entering and exiting traffic or create lane closures, so Mitigation Measures **TRA-A** and **HWM-B** are not necessary.

The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to hazards and hazardous materials beyond those identified in the FEIR.

Land Use and Planning

2016 FEIR

The approved project did not introduce new land uses, result in land use changes, or physically divide a community and operations and maintenance would be consistent with the Valley Habitat Plan, as a result the FEIR determined that there would be no impacts. However, the FEIR found that since maintenance roads along the channel would be gated, the project would conflict with the Milpitas Trails Master Plan. Mitigation was incorporated to work with Milpitas to develop a Joint Use Agreement to provide access.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
LND-1. Physically divide an established community	No Impact	No change
LND-2. Conflict with any applicable land use plan, policy, or regulations of an agency with jurisdiction over the project (including but not limited to the General Plan, Specific Plan, local coastal plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.	Less than Significant with Mitigation from operations	Less Impact
LND-3. Conflict with any applicable habitat conservation plan or natural community conservation plan	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan would also not physically divide a community and would be implemented consistent with the requirements of the Valley Habitat Plan where applicable. The Off-Site Mitigation Plan would not change access to existing or planned trails, therefore there would be no conflict with land use plans and no impact on land use.

The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to land use beyond those identified in the FEIR.

Noise

2016 FEIR

The FEIR concluded that the project would not generate permanent noise as part of operations and maintenance, and there are no airports within 2 miles of the site.

Sensitive receptors were affected by construction noise associated with the approved project from site preparation, earth-moving activities, hauling debris, concrete placement, and re-installing rail tracks at the UPRR trestle replacement site. The FEIR included Mitigation Measures **NOI-A**, **NOI-B**, and **NOI-C** to reduce construction-related noise impacts. With mitigation, the approved project was able to meet the noise limits for Milpitas and San Jose. However, project construction was still considered significant and unavoidable due to generation of construction noise associated with replacement of the UPRR trestle and groundwater collection and treatment activities that

would occur outside hours allowed by the City of Milpitas Noise Abatement Ordinance. Operation and maintenance activities were determined to have a less than significant effect from occasional noise.

Ground-based vibration levels were calculated to be less than significant for construction and operations.

The project did not generate construction noise in excess of the numeric 24-hour averaged residential noise level threshold established in the Milpitas General Plan Noise Element or San Jose Envision 2040 General Plan. Mitigation Measures **NOI-A**, **NOI-B**, and **NOI-C** were implemented to reduce temporary construction-related noise impacts by using the best available noise suppression technology, locating noisy construction equipment as far as possible from sensitive receptors, providing a point of contact to foster resolution of noise complaints, and ensuring compliance with local noise standards.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
NOI-1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standard of other agencies	Less than Significant from operations	No change
NOI-2. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels	Less than Significant from operations	No change
NOI-3. Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project	No Impact	No change
NOI-4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project	Less than Significant from operations	No change
NOI-5. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels	No Impact	Greater Impact, but not significant
NOI-6. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan is similar in operational impacts related to the planting and landscaping activities identified in the project which were determined to be less than significant in the FEIR. The Thompson Creek site of the Off-Site Mitigation Plan is within the airport land use area of Reid Hillview Airport, but the site is outside of the identified 60 Community Noise Equivalent Level generated by airport operations. The location and workers for the Off-Site Mitigation Plan would not be adversely impacted by noise generated by airport activities.

The Off-Site Mitigation Plan is similar to the landscaping analyzed as operation and maintenance activities in the FEIR and would have similar less than significant impacts from noise and vibration.

All work would occur within the hours designated by the Milpitas Noise Abatement Ordinance and San Jose Municipal Code. Although impacts are less than significant and no mitigation is required, the Mitigation Plan would nonetheless implement Mitigation Measures **NOI-A**, **NOI-B**, and **NOI-C** from the project's FEIR to further minimize impacts. The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts from construction noise and vibrations beyond those identified in the FEIR.

Population and Housing

The approved project did not displace housing from construction or operations or displace a substantial number of people.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
POP-1. Induce substantial population growth or concentration of population in an area, either directly (for example, by proposing new housing and/or businesses), or indirectly (for example, through extension of roads or other infrastructure)	Less than Significant for Construction and Operations	No change
POP-2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere	No Impact	No change
POP-3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan, which is limited to the enhancement of various sections of creeks, would also not displace housing or populations and would not result in new significant impacts or substantially increase the severity of significant impacts to population and housing.

Public Services

2016 FEIR

Construction of the approved project did not increase the local population with a limited number of workers from the local labor pool and did not require the provision of new government facilities for public services.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
PBS-1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, or the need for new or physically altered government facilities the		

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:		
Fire Protection	Less than Significant for Construction and Operations	No change
Police Protection	Less than Significant for Construction and Operations	No change
Schools	No Impact	No change
Parks	Less than Significant for Construction and Operations	No change
Other Public Facilities (Emergency Medical Services)	Less than Significant for Construction and Operations	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan, which is limited to the enhancement of various sections of creeks, would also not require the provision of new government facilities and would not result in new significant impacts or substantially increase the severity of significant impacts to public services.

Recreation

2016 FEIR

The approved project did not require the construction or expansion of recreational facilities. The FEIR determined that construction activities would temporarily prevent access to segments of the creek for non-contact recreational uses, but recreational use of the creek would continue in the areas not under active construction. Although mitigation was not required, Mitigation Measure **REC-A** (Prepare Detour Signage) was implemented to further minimize impacts to recreationists through the provision of detour signage for pedestrians and cyclists.

Resource Impact	Level of Impact in FEIR (with Mitigation, If Applicable)	Impact of Off-Site Mitigation Plan in relation to FEIR
REC-1. Increase the use of existing parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated	Less than Significant for Construction and Operations	No change
REC-2. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan, which is limited to the enhancement of various sections of creeks, would also not require the construction of new recreational facilities. The Off-Site Mitigation Plan could result in temporary closures of small segments of public trails. Although this impact was considered less than significant, the Off-Site Mitigation Plan would implement Mitigation Measure **REC-A** to further minimize impacts. The Off-Site Mitigation Plan would not result in new significant impacts or substantially increase the severity of significant impacts to recreational features beyond those identified in the FEIR.

Traffic and Transportation

2016 FEIR

During construction of the approved project, trucks importing materials or exporting excavated soil could have impeded traffic flow and affected emergency access. Mitigation Measure **TRA-A** was implemented to reduce transportation impacts by scheduling truck trips outside of peak morning and evening commute hours as needed to avoid adverse impacts on traffic flow; ensuring that flaggers were on-site to direct traffic and minimize delays; minimizing disruption to local bus routes by coordinating with local traffic agencies; identifying haul routes and detour routes; and establishing adequate measures to reduce traffic hazards.

Mitigation Measure **HWM-B** was included to reduce impacts to emergency access to less than significant by ensuring adequate emergency access was maintained during the construction period.

The FEIR determined that traffic impacts for operations and maintenance would be less than significant with limited trips for inspections and maintenance that would not significantly impact implementation of congestion management plans, traffic hazards, emergency access, or public transit plans.

The nearest airport to the approved project is the San Jose International Airport, which is located approximately 4 miles southwest of the project area and there are no private airstrips within the vicinity of the project.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
TRA-1. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	Less than Significant with mitigation	Less Impact
TRA-2. Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways	Less than Significant for Construction and Operations	No change
TRA-3. Result in change in air traffic patterns including either an increase in traffic levels or a change in location that results in substantial safety risks	No Impact	Greater Impact, but not significant
TRA-4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or construction traffic	Less than Significant with mitigation	Less Impact
TRA-5. Result in inadequate emergency access	Less than Significant with mitigation	Less Impact
TRA-6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities	Less than Significant with mitigation	Less Impact

Off-Site Mitigation Plan

The original project was completed outside designated airport zones. Of the 12 sites included in the Off-Site Mitigation Plan, the Thompson Creek site, is within the airport plan for Reid-Hillview Airport. However, this proximity would not result in changes to air traffic patterns at Reid-Hillview as no new structures or population would be created by the Off-Site Mitigation Plan. The plan would not result in new significant impacts or substantially increase the severity of significant impacts related to airport operations.

The Off-Site Mitigation Plan would generate similar traffic to the operation and maintenance of the project related to planting of vegetation and monitoring. It does not require the export of soil, and would not require the closure of lanes during work activity. As such, the Off-Site Mitigation Plan would not have a significant impact on traffic.

Given the nature of the Off-Site Mitigation Plan being limited to landscaping activities such as shallow tilling, mowing, and planting, the related activities would not conflict with circulation plans, congestion management programs, or create hazards due to design features, nor conflict with alternative transportation policies, or emergency access and the Off-Site Mitigation Plan would have a similar less than significant impact.

Utilities and Service Systems

2016 FEIR

Construction of the approved project generated wastewater from two sources, through temporary sanitary facilities and from contaminated groundwater plumes, the latter of which necessitated the adoption of Mitigation Measure **HWM-C** (Treat VOC-Contaminated Groundwater Encountered at JCI Off-Site Area). Construction of the approved project resulted in the generation of a small quantity of wastewater and used limited potable water, therefore it did not require the construction of new water or wastewater treatment facilities. Operations and maintenance were determined to have no impact in regards to wastewater treatment or the need for new or expanded facilities.

The approved project was calculated to generate up to 74,500 cubic yards of solid waste, including concrete, soil, vegetation, and reinforcing steel to be excavated and hauled to one or more disposal facilities where there was adequate capacity to serve this need. Maintenance and operational activities were determined to generate minimal waste.

The approved project did not require the construction of new stormwater drainage facilities and impacts were less than significant.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
UTL-1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board	No impact for operations	No change
UTL-2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	Less than Significant for operations	No change
UTL-3. Require or result in the construction of new stormwater drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects	No Impact	No change
UTL-4. Have insufficient water supplies available to serve the project from existing entitlements and resources, or if new or expanded entitlements are required	Less than Significant for operations	No change
UTL-5. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments	No impact for operations	No change
UTL-6. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs	Less than Significant for Construction and Operations	No change
UTL-7. Fail to comply with Federal, State, and local statutes and regulations related to solid waste	Less than Significant for Construction and Operations	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan also would not require new stormwater facilities.

The Off-Site Mitigation Plan would result in similar demands from portable sanitary facilities as described for operations and maintenance in the FEIR. However, the sites of the Off-Site Mitigation Plan do not overlay contaminated groundwater plumes. As contamination plumes are avoided altogether, the implementation of Mitigation Measure **HWM-C** is not necessary.

The Off-Site Mitigation Plan is similar to the operations and maintenance activities analyzed in the FEIR that would result in a similar demand for potable water, landfill capacity, and wastewater treatment and have a similar less than significant effect. The plan would not result in new significant impacts or substantially increase the severity of significant impacts to utility and service systems.

Hydrology and Water Quality

2016 FEIR

Construction and maintenance of the approved project entailed the use of heavy equipment and associated hazardous materials commonly used in construction and had the potential to encounter shallow groundwater during grading in areas that overlay contamination plumes. There was potential for accidental spills to occur, and clearing and grubbing of vegetation required the use of herbicides, which could be inadvertently sprayed or spilled into surface waters. Several components of the approved project included construction with concrete within the channel, which had the potential to degrade water quality. Mitigation Measures **WAQ-A**, **WAQ-B**, **WAQ-C**, **HWM-A**, and **HWM-C** were implemented to comply with water quality and waste discharge requirements. Mitigation Measures **WAQ-A** (Implement Measures for Protecting Water Quality) and **WAQ-C** (Prepare and Implement a Rain Event Action Plan) required isolation of concrete from runoff or creek water after pouring and maintaining a clean work site and measures to prevent washing of contaminants into the creek channel during substantial rain events. Mitigation Measure **WAQ-B** (Prepare and Implement a Dewatering Plan) required a dewatering plan to prevent significant increases in water temperature, lower dissolved oxygen levels, and increased turbidity. Mitigation Measure **HWM-A** (Prepare and Implement a Spill Prevention and Response Plan) reduced the likelihood of spills and sought to minimize water quality impacts if a spill were to occur. Mitigation Measure **HWM-C** (Treat VOC-Contaminated Groundwater Encountered at JCI Off-Site Area) required the treatment of contaminated groundwater to meet water quality standards before discharge to the creek.

The approved project did not substantially alter drainage patterns or alter flooding potential downstream as the location of the stream channel was not altered and drainage patterns were like those occurring under pre-construction conditions.

Construction and maintenance of the approved project had the potential to increase pollution during rain events from use of construction equipment, vehicles, and materials in the creek channel. Implementing Mitigation Measure **WAQ-C** reduced the potential for creation of polluted runoff and reduced this impact to a less than significant level.

The FEIR determined that the project would not place housing within a 100-year flood hazard area, impeded or redirect flood flows, expose a population to a significant risk of failure of a levee or dam, or expose a population to a significant risk of seiche, tsunami, or mudflow. Accordingly, there would be no impact.

Resource Impact	Level of Impact in FEIR	Impact of Off-Site Mitigation Plan in relation to FEIR
WAQ-1. Violate any water quality standard or waste-discharge requirement	Less than Significant for operations	No change
WAQ-2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing wells would drop to a level that would not support existing land uses or planned use for which permits have been granted)	No Impact for operations	Less Impact
WAQ-3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner that would result in substantial erosion or siltation on- or off-site	Less than Significant for operations	No change
WAQ-4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner that would result in flooding on- or off-site.	Less than Significant for Construction and Operations	No change
WAQ-5. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality	Less than Significant for operations	No change
WAQ-6. Otherwise substantially degrade water quality	Less than Significant for operations	No change
WAQ-7. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Maps or other flood hazard delineation maps.	No Impact	No change
WAQ-8. Place within a 100-year flood hazard area structures that would impede or redirect flood flows	No Impact	No change
WAQ-9. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam	No Impact	No change
WAQ-10. Expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow	No Impact	No change

Off-Site Mitigation Plan

The Off-Site Mitigation Plan involves work similar to the maintenance and operations activities analyzed in the FEIR, but would not require dewatering of the creeks, involve new concrete structures, or work near known contamination plumes, so Mitigation Measures **WAQ-A**, **WAQ-B** and **HWM-C** are not applicable. Although the Off-Site Mitigation Plan's impact to this resource area would also have a less than significant impact, it would nonetheless implement Mitigation

Measures **WAQ-C**, and **HWM-A** to further minimize water quality impacts from vehicles and equipment near the channel and preparing ground surfaces for planting.

The activities of the Off-Site Mitigation Plan would be similar to the vegetation control and planting on creek banks in the maintenance activities of the FEIR; and would result in similar less than significant impacts from altering drainage patterns, increasing flooding potential, or resulting in polluted runoff beyond those identified in the FEIR.

The Off-Site Mitigation Plan is limited to light ripping to prepare the ground surface for seeding and digging holes for planting. These activities are unlikely to encounter groundwater. Potential impacts to groundwater would be less compared to those identified in the FEIR.

As with the project described in the FEIR, the Off-Site Mitigation Plan would not place housing within a 100-year flood hazard area, impeded or redirect flood flows, expose a population to a significant risk of failure of a levee or dam, or expose a population to a significant risk of seiche, tsunami, or mudflow—accordingly there would be no impact.

The plan would not result in new significant impacts or substantially increase the severity of significant impacts to hydrology and water.

CUMULATIVE IMPACTS

2016 FEIR

The FEIR for the approved project determined that activities would have cumulatively considerable contributions to visual resources, emissions of criteria pollutants, removal of trees, disturbance of nesting birds, disturbance of previously unknown archeological sites or human remains, soil erosion, GHG emissions, the transport and disposal of hazardous materials/wastes, construction noise, conflict of transportation plans, contaminated groundwater, and degradation of surface water quality. Most of these impacts were reduced to a less than significant level with the identified mitigation measures, except for emission of criteria pollutants and greenhouse gasses, which were determined to be significant and unavoidable – even with the implementation of mitigation measures. None of the operations and maintenance activities were determined to make a cumulatively considerable contribution to cumulative impacts.

Off-Site Mitigation Plan

The Off-Site Mitigation Plan would have similar impacts to the impacts from operations and maintenance as discussed in the FEIR as it involves similar planting and landscaping activities. The analysis above does not find any new or substantially increased impact identified in the FEIR. As such, the Mitigation Plan would not result in new significant impacts or substantially increase the severity of cumulative impacts beyond those identified in the FEIR.

CONCLUSION

Based on the analysis above, the additional work related to the Off-Site Mitigation Plan in connection to the to the Upper Berryessa Creek Flood Risk Management Project is not substantial and major revisions to the FEIR are unnecessary because there are no new significant environmental effects, nor is there a substantial increase in the severity of previously identified significant effects (CEQA Guidelines §15162). Implementation of the Off-Site Mitigation Plan

would not create new significant environmental impacts or substantially increase the severity of previously identified significant impacts. There are no significant changes to the project circumstances, and there is no new information of substantial importance requiring revisions of the previous CEQA findings. Therefore, an addendum to the Upper Berryessa Creek Flood Risk Management Project FEIR is the appropriate level of review under CEQA Guidelines §15164.

REFERENCES

California Regional Water Quality Control Board San Francisco Bay Region

2017. Order No. R2-2017-0014 – Waste Discharge Requirements and Water Quality Certification for: Santa Clara Valley Water District and U.S. Army Corps Of Engineers, Upper Berryessa Creek Flood Risk Management Project, Santa Clara County

Stillwater Sciences

2024a Berryessa Creek Sub-watershed Enhancements Project Biological Resources Assessment. Submitted to Valley Water May 2024.

2024b *Berryessa Creek Sub-watershed Enhancements: Off-Site Mitigation Monitoring Plan for the Upper Berryessa Creek Flood Risk Management Project*. Prepared for Valley Water September 2025.

Valley Water

2016 Upper Berryessa Creek Flood Risk Management Project Santa Clara County, California. Final Environmental Impact Report (State Clearinghouse No. 2001104013). Prepared January 2016