



Final Initial Study/ Mitigated Negative Declaration

Rinconada Water Treatment Plant Residuals Management project

Prepared by:
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Water District

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Final Mitigated Negative Declaration Project Number 93294051- SCH # 2013021048

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List of Acronyms

BAAQMD	Bay Area Air Quality Management District
BMPs	Best Management Practices
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife, AKA CDFG
CEQA	California Environmental Quality Act
CH ₄	methane
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ E	carbon dioxide equivalents
CWA	Federal Clean Water Act
dB	Decibels
dBA	Decibels on the A-weighted scale
District	Santa Clara Valley Water District
EIR	Environmental Impact Report
GHG	Greenhouse Gas
I-280	Interstate 280
Leq	equivalent continuous sound level
LOS	level of service
MND	Mitigated Negative Declaration
N ₂ O	nitrous oxide
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
Proposed Project	Rinconada Water Treatment Plant Residuals Management Project
Plant	Rinconada Water Treatment Plant
PM	particulate matter
PPV	peak particle velocity
ROG	reactive organic gases
RWQCB	San Francisco Bay Regional Water Quality Control Board
SCVURPPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SCVWD	Santa Clara Valley Water District (or District)
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resource Control Board
TPZ	Tree Protection Zone
USC	United States Code
Vdb	Vibration decibels
VTA	Santa Clara Valley Transportation Authority
WRBs	washwater recovery basins

Key Terminology

Beneficial Impact: A project impact is considered beneficial if it would result in the enhancement or improvement of an existing physical condition in the environment – no mitigation is required.

Best Management Practices: A subset of mitigation measures typically derived from standardized District operating procedures. These practices have been identified as methods, activities, procedures, or other management practices for the avoidance or minimization of potential adverse environmental effects. They have been designed for routine incorporation into project designs and represent the “state of the art” impact prevention practices.

Less-than-significant Impact: This is indicated in the Initial Study checklist where the impact does not reach the standard of significance set for that factor and the project would therefore cause no substantial change in the environment (no mitigation needed).

Mitigation Measures: Mitigation includes: (a) avoiding the impact altogether by not taking a certain action or parts of an action; (b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (c) rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; (d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (e) compensating for the impact by replacing or providing substitute resources or environments.¹

No Impact: This is indicated in the Initial Study where, based on the environmental setting, the stated environmental factor does not apply to the proposed project.

Potentially Significant Impact: An environmental effect that may cause a substantial adverse change in the environment; however additional information is needed regarding the extent of the impact to make a determination of significance. For the purposes of review such are treated as if significant impact and mitigation measures are proposed.

Significance Criteria: A set of criteria used by the lead agency to determine whether an impact would be considered significant. The District relied upon the significance criteria set forth in the CEQA Guidelines and criteria based on the regulatory standards of local, state and federal agencies.

Significant Impact: An impact that would likely result in a substantial adverse change in the physical conditions of the environment. Mitigation measures and/or project alternatives are identified to avoid or reduce these effects to the environment.

¹ Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Sections 21002, 21002.1, 21081, and 21100(c), Public Resources Code.

Section 1 Introduction

Organization of this Document

This document is organized to assist the reader in understanding the potential impacts that the project may have on the environment and to fulfill the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq.*). Section 1 indicates the purpose under CEQA, sets forth the public participation process, and summarizes applicable state and federal regulatory requirements. Section 2 describes the location and features of the project and Section 3 describes the environmental setting. Section 4 evaluates the potential impacts through the application of the CEQA Initial Study Checklist questions to project implementation. Section 5 lists the contributors, and Section 6 supplies the references used in its preparation.

Purpose of the Mitigated Negative Declaration

The Santa Clara Valley Water District (District), acting as the Lead Agency, prepared this draft Mitigated Negative Declaration (MND) to provide the public, responsible agencies and trustee agencies with information about the potential environmental effects of the proposed Rinconada Water Treatment Plant Residuals Management Project (proposed project).

This MND was prepared consistent with CEQA Guidelines (Title 14, California Code of Regulations 15000 *et seq.*) and District procedures for implementation of CEQA (Environmental Management System - Environmental Planning Q520D01). CEQA requires that public agencies, such as the District, identify significant effects of project, avoid or minimize those impacts; or mitigate in cases where avoidance and minimization are not possible.

In addition to acting as the CEQA Lead Agency for its projects, the District's mission includes objectives to conduct its activities in an environmentally sensitive manner as a steward of Santa Clara Valley watersheds. The District strives to preserve the natural qualities, scenic beauty, and recreational uses of Santa Clara Valley's waterways by using methods that reflect an ongoing commitment to conserving the environment.

Decision to Prepare a Mitigated Negative Declaration for this Project

The Initial Study for the proposed project, included in Section 4 of this document, identifies potentially significant effects on biological resources; air quality/greenhouse gas; noise; transportation and traffic; and mandatory findings of significance. Mitigation measures have been proposed for the project to reduce such effects to less-than-significant levels; and therefore, the proposed Mitigated Negative Declaration is consistent with CEQA Guidelines, §15070, which indicates that a mitigated negative declaration is appropriate when:

The project Initial Study identifies potentially significant effects, but:

- a. Revisions to the project plan were made that would avoid, or reduce the effects to a point where clearly no significant effects would occur, and
- b. There is no substantial evidence that the project, as revised, may have a significant effect on the environment.

Public Review Process

This draft MND will be circulated to local, responsible, and trustee agencies, interested organizations, and individuals who may wish to review and provide comments on the project description, the proposed mitigation measures, or other aspects of the report. The publication will commence the 30-day public review period per CEQA Guidelines §15105(b).

The draft MND and supporting documents are available for review at:

- Santa Clara Valley Water District
Headquarters Building
5750 Almaden Expressway
San Jose, CA 95118

Copies of the report are available for review at:

- Los Gatos Public Library
110 East Main Street
Los Gatos, CA 95030
- Posted on the District website:
<http://www.valleywater.org/PublicReviewDocuments.aspx>, or
- Via written request for a copy from the District.

Written comments or questions regarding the draft MND should be submitted to the name and address indicated below. Submittal of written comments via e-mail would greatly facilitate the response process.

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The proposed MND, along with any comments, will be considered by the District Board of Directors prior to a decision on the project.

Interagency Collaboration and Regulatory Review

The CEQA review process is intended to provide trustee and responsible agencies, as well as the public, with an opportunity to provide input into the project. Trustee agencies are state agencies that have authority by law for the protection of natural resources held in trust for the public. Responsible agencies are those that have some responsibility or authority for carrying out or approving a project; in many instances these public agencies must make a discretionary decision to issue a local permit; provide right-of-way, funding, or resources that are critical to the project's proceeding. In this instance the Town of Los Gatos and the San Francisco Bay Regional Water Quality Control Board (RWQCB) are considered responsible agencies, and California Department of Fish and Wildlife (CDFW) is considered a trustee agency. The District will work with the Town of Los Gatos, RWQCB, and CDFG to ensure that the proposed project meets applicable policies and requirements.

This MND is intended to assist trustee and responsible agencies to carry out their responsibilities for permit review or approval authority over various aspects of the project. The Rinconada Water Treatment Plant Residuals Management Project would likely require project-specific permitting and/or review as summarized in **Table 1-1** below.

Table 1-1 Summary Of Agency Approvals	
Agency	Permit/Review Required
California Department of Fish and Wildlife	Trustee Agency - Review of MND for compliance with the California Endangered Species Act
San Francisco Bay Regional Water Quality Control Board	CWA §402(p) (33 U.S.C. 1342) General Permit for Construction Activities; Review of CWA §402(p) Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit
Town of Los Gatos	Tree Removal Permit

Section 2 Project Description

Project Objectives

The proposed project would ensure that the Rinconada Water Treatment Plant (Plant) efficiently and reliably provides potable water to water retailers in the District's service area. The proposed project is intended to fulfill the District Board of Directors Ends Policy Number E-2.3.2., which states, "Manage, operate, and maintain the Plant and treated water pipeline assets to maximize reliability, to minimize life-cycle costs and to minimize impacts to the environment" (SCVWD 2010). Accordingly, key objectives of this project are to provide efficient, safe, and reliable management of process residuals for the next 20 years with sufficient robustness to accommodate potential future changes to the Plant's primary treatment processes.

This proposed project has been designed to be consistent with District policies, goals, and objectives adopted for the purposes of avoiding or mitigating environmental effects. Those policies are presented in **Table 2-1**.

Table 2-1 District Environmental Policies Consistency	
District Policy	Project Consistency
E-1.3: <i>A net positive impact on the environment is important in support of the District mission and is reflected in all that we do.</i>	Implementation of the project would replace outdated equipment with more energy-efficient equipment, improve automation of the overall residuals management process to significantly reduce use of internal combustion equipment on-site (i.e., the tractor and front-end loader used for thickening and movement of dewatered solids), improve the thickening and dewatering processes to allow reductions in chemical usage, and reduce the volume of dewatered solids, thus reducing the total truck trips for off-site disposal. Off-site impacts from the project include reduced landfill volume due to the reduced volume of dewatered solids requiring disposal, fewer truck trips required for off-site disposal and process materials delivery, and the associated fuel usage and emissions. Noise emanating from the site should be reduced by eliminating the daily operation of the tractor for thickening and reducing operation of the front-end loader for moving dewatered solids on-site.
E-2.3.2: <i>Manage, operate, and maintain the Water Treatment Plant and treated water pipeline assets to maximize reliability, to minimize life-cycle costs and to minimize impacts to the environment.</i>	BMPs will be incorporated into project design to avoid or minimize project impacts. Mitigation measures have been incorporated to minimize impacts to air quality, biological resources, and the human environment (noise and traffic). With these measures in place, the proposed project would not result in any significant environmental impacts.
E-4.3.2: <i>Reduce greenhouse gas emissions when reasonable and appropriate.</i>	The project would increase energy use efficiency. By implementing Mitigation Measure TR-1, the District would increase fuel efficiency of haul truck travel by avoiding driving in rush hour. This would reduce GHG emissions. Beneficial effects would also result from increased efficiencies (described above in response to E-1.3) resulting from implementation of the proposed residuals management process.

Project Scope of Work

The proposed project would provide improvements at the Plant located in the Town of Los Gatos (**Figure 2-1**). The proposed improvement would cover approximately 134,473 sq. ft. (approximately 3 acres) within the existing Plant. **Figure 2-2** shows the current condition of the Plant and identifies existing facilities. This proposed project proposes to make improvements to include the following main components:

- Two new gravity thickeners and a centrifuge feed pump station
- A new centrifuge building
- Solid drive through area
- A new dewatering building
- Service road extension inside the Plant process area
- Modification of existing washwater recovery basins to increase capacity and lengthen the life of existing lining, and to enable solids pumping and washwater return pumping and cleaning upgrades.
- Yard piping
- Electrical and instrumental conduits

Figure 2-3 shows the location of the proposed project improvements, work areas, and staging areas. Project components are discussed in detail as follows.

Figure 2-1 Project Vicinity Map

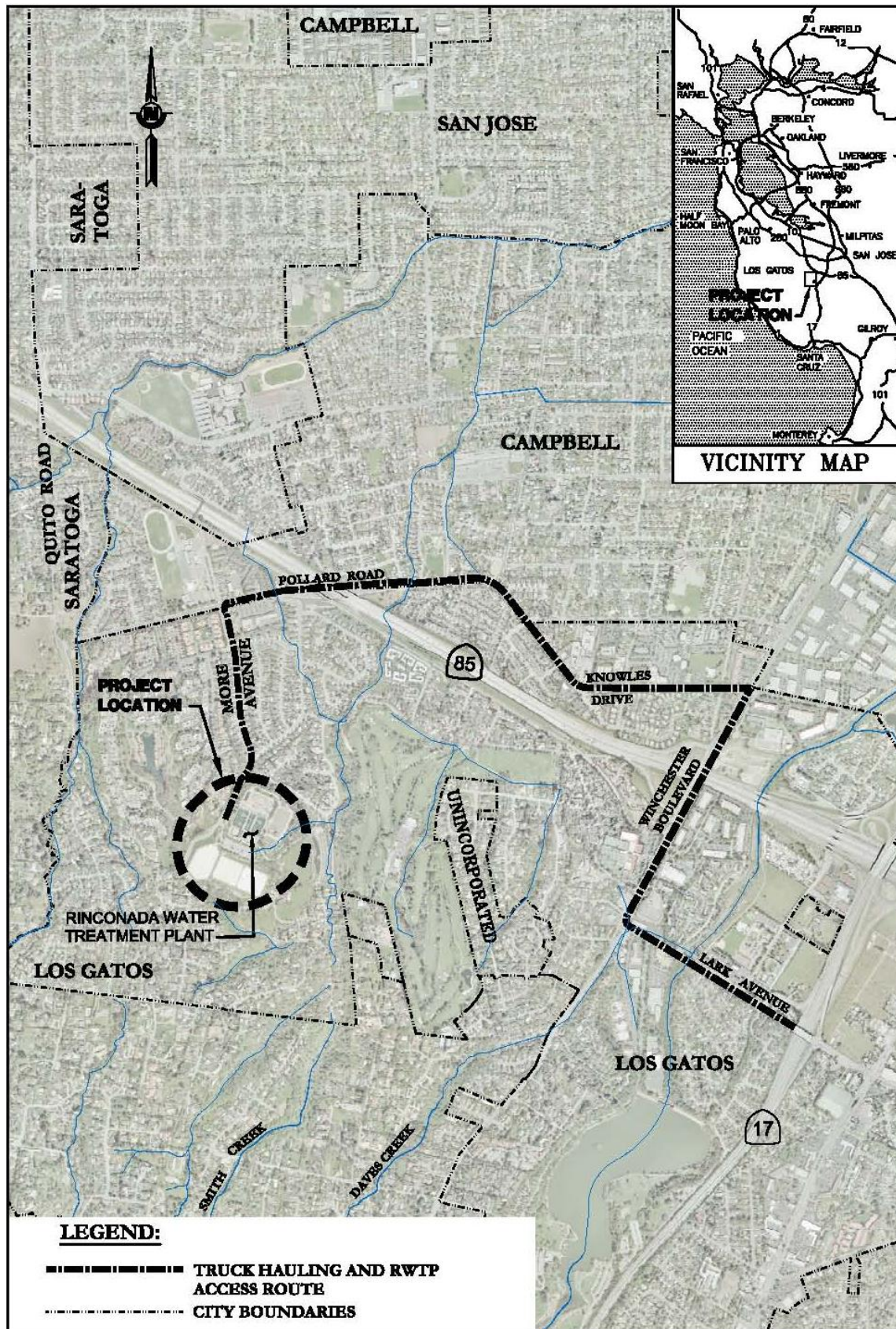


Figure 2-2 Existing Facilities

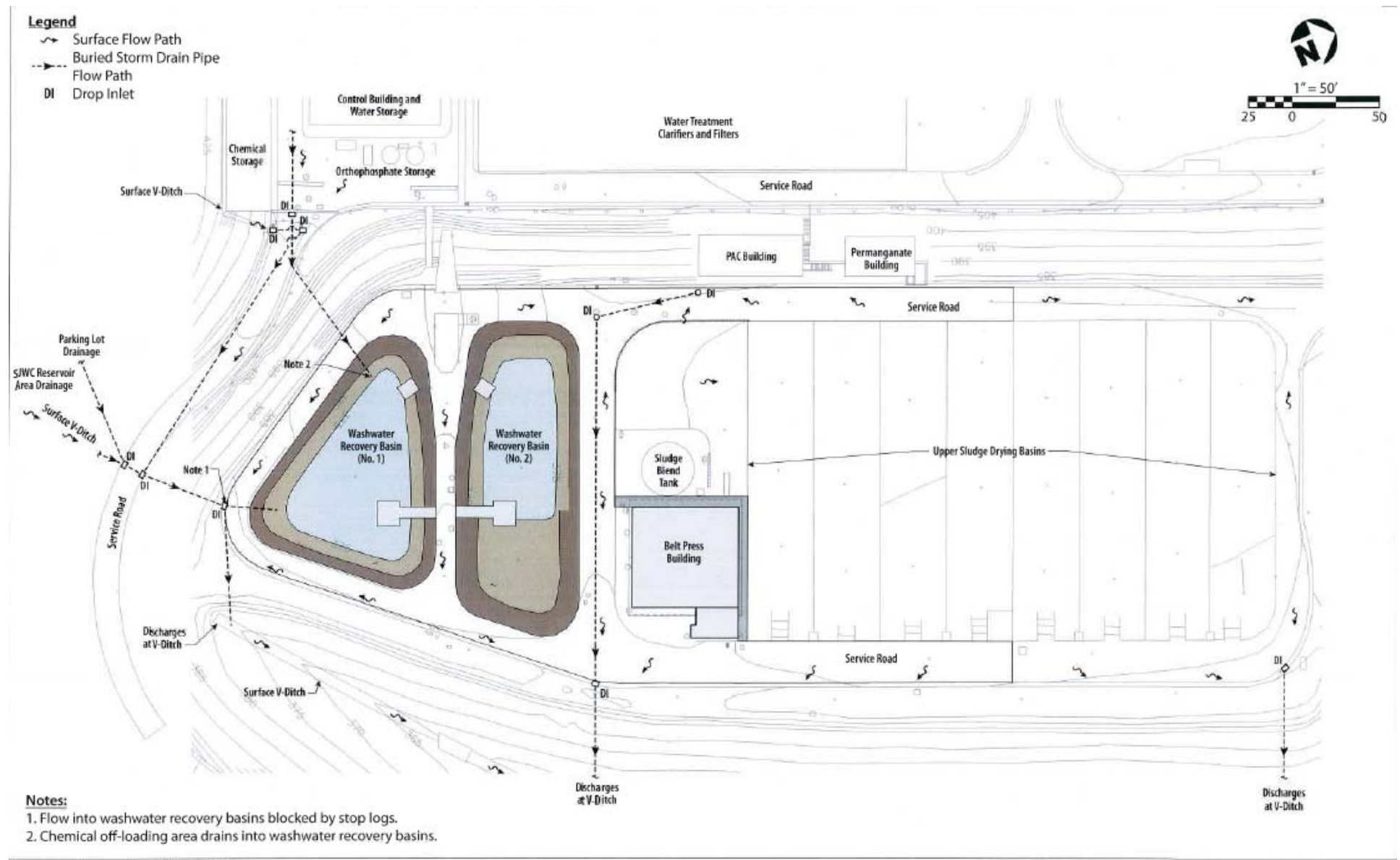
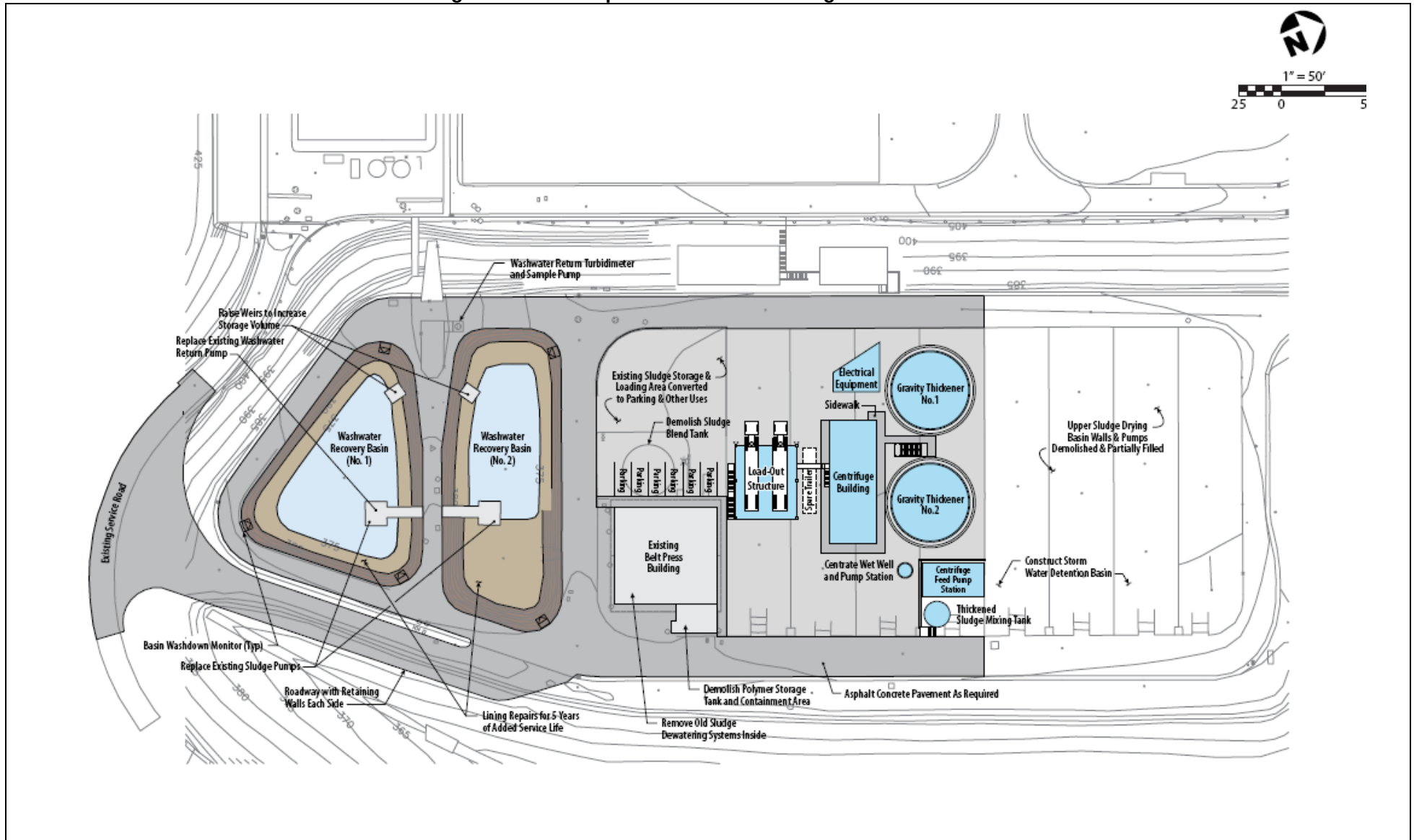


Figure 2-3 Proposed Residuals Management Site Plan



Existing Residuals Management Process

Residuals management includes the processing, handling, and disposal of solids produced by the primary water treatment process. The primary water treatment process generates solids in the Plant's four clarifiers and six filters. As the raw (untreated) water supply flows through the clarifiers, heavier solids along with clarification treatment chemicals settle to the bottom. The water supply is then filtered before beginning secondary treatment in preparation for storage and delivery.

Settled solids are sent from the clarifiers to the existing upper sludge drying basins. Chemicals (polymers) are added to the solids to help them settle further, forming sludge in the upper sludge drying basins. As sludge settles, water is drawn off the surface of the upper drying basins and discharged down the hill to the lower sludge drying basins.

Solids also build up on the filters. To clean the filters, the Plant periodically reverses the flow of water through the filters to wash captured solids into the washwater recovery basins. Similar to the upper sludge drying basins, the solids settle to the bottom of the recovery basins as sludge. Sludge in the washwater recovery basins is sent to the lower sludge drying basins. Washwater in the recovery basins is recycled back into the raw water supply to undergo the primary treatment process again. Likewise, water is collected from the lower sludge drying basins and pumped back into the raw water supply to undergo primary treatment again.

Sludge remaining in the upper drying basins is pumped into a blend tank where additional polymer is added to further treat the sludge before it is sent to the belt presses for dewatering. The belt presses squeeze the treated sludge, separating the liquid, called filtrate, from dewatered sludge, called cake. The filtrate is collected and pumped back into the upper sludge drying basins for reprocessing. The cake is directed onto a conveyor belt and deposited in the storage and loading area outside the dewatering building. A loader is used to manage the stockpiles of cake and transfer them to a haul truck for disposal.

Proposed Residuals Management Process

The proposed project would functionally replace the upper sludge drying basins with more efficient gravity thickeners, which would receive settled solids from the clarifiers and allow heavier material to settle and thicken into sludge at the bottom of their concrete vessels. As sludge settles, water would be drawn off the surface of the gravity thickeners and discharged down the hill to the lower sludge drying basins. Similar to existing practices, water in the lower sludge drying basins would be collected and periodically pumped back into the raw water supply to undergo primary treatment again.

The proposed project would also replace existing belt presses with two centrifuges. Sludge collected in the gravity thickeners would flow to a thickened sludge mixing tank and would be pumped to centrifuges for dewatering. The centrifuges would operate on the principle of centrifugal force to spin the treated sludge, thereby separating the liquid from the cake. The liquid, called centrate, would be collected in a concrete vault and pumped back into the lower sludge drying basins or gravity thickeners for reprocessing.

Cake generated by the centrifuges would be transferred by a series of screw conveyors to two load-out conveyors, each installed above a bay for a receiving haul trailer. Full haul trailers would be removed. A crossover conveyor would be provided so that either centrifuge could be operated and could discharge cake to either haul trailer parking location. Cake could also be discharged to an emergency drop area when no haul trailer would be available. Once a load-out trailer would be available, the cake in the emergency drop area could be transferred to the

trailer by using the existing front-end loader if it was deposited on concrete instead of a trailer or dumpster.

Existing polymer systems (i.e., storage tanks and associated valves, mixers, pumps, and flow meters) would be replaced to serve the new dewatering centrifuges. New polymer feed pumps would also be added to provide dilute polymer to the gravity thickeners.

The washwater recovery basins would continue to operate in their current configuration with one minor modification: sludge from the washwater basins would be collected and pumped back into the gravity thickeners. One washwater recovery basin return pump would be replaced to restore the previous pumping capacity.

The residuals management process is intended to typically operate 3 days a week, for 10 hours per day. However, if more economical or if required by operational conditions, it could operate more days of the week for the same or shorter hours. In the remainder of the time, the system would operate in a flow-through manner, decanting water from the gravity thickeners. Decant water would flow by gravity to the existing lower sludge drying basins and be pumped to the head of the Plant through existing pumping facilities. Operation of the lower sludge drying basins would remain unchanged from existing activities.

Construction Activities

Gravity Thickeners and Centrifuge Feed Pump Station

To accommodate the proposed project, the southwestern portion of the existing upper sludge drying basins would be demolished, filled, and graded to the surrounding elevation. Approximately 2,200 cubic yards of compacted soil and crushed rock would be used to backfill approximately 28,000 square feet of the upper sludge drying basins. Existing pumps used to operate the upper sludge basins would be removed. Existing concrete walls that divide the upper area into eight individual drying basins would also be demolished and removed during site preparation. A portion of the decommissioned drying basins would be redesigned as a stormwater bioretention basin with the capability of collecting stormwater and slowly releasing it at a controlled rate before discharging it to the existing storm drain system so that downstream areas are not flooded or eroded.

Two gravity thickeners and a centrifuge feed pump station would be constructed. Each gravity thickener would be a 50-foot wide and 25-foot tall cylindrical basin constructed out of concrete. The gravity thickeners would have a shared stairway and connecting catwalk installed between them to provide access. The stairway and gravity thickener catwalks would be fitted with localized light fixtures to allow safe use and observation into the gravity thickeners during non-daylight hours.

The centrifuge feed pump station would be located at one end of the two gravity thickeners and would consist of four pumps installed on an unenclosed concrete slab with a steel-framed, metal canopy roof. Next to the pumps would be a vertical steel thickened sludge mixing tank, approximately 12,000 gallons in capacity. Roof slopes, orientation, and materials would match the existing dewatering building. Under and adjoining the metal canopy roof there would be exterior downcast and shielded light fixtures for operations and maintenance use during non-daylight hours and facility security. Additional asphalt and concrete pavement would be installed to allow access to the pump station from the existing road and for additional parking for up to four vehicles. Sidewalks would be constructed around the centrifuge building to the stair landing to the gravity thickeners.

Centrifuge Building

The centrifuge building would be constructed to house the two dewatering centrifuges, portions of solids conveyors, two polymer storage and pumping systems, electrical equipment, control room, restroom, and appurtenant equipment. It would be approximately 30 foot by 80 foot by 33 foot high, two-level reinforced concrete building. It would be located near the existing dewatering building in the interior of the Plant site. The building exterior would have simple architectural treatment to be similar to two existing concrete process buildings that are nearby. The upper level of the building would be fitted with large doors and protruding steel beams to allow the heavy centrifuge machine components to be lifted in and out during infrequent maintenance activities.

The exterior of the centrifuge building would have light fixtures that are downcast and shielded to allow safe ingress and egress from the building during non-daylight hours.

A circular centrate wet well (8 foot interior diameter) and pump station would also be installed adjacent to the eastern side of the centrifuge building. Two submersible centrifugal pumps would be installed below ground of the new wet well.

Dewatering Building

The existing belt presses, ancillary equipment, sludge conveyor, polymer tanks and pumps, and appurtenances would be removed from the dewatering building. The existing exterior polymer storage tank, its concrete foundation, and appurtenances would also be removed. Minor interior improvements would be made to remove concrete equipment pads, add one door, adjust mechanical systems, and to level the floors. Electrical equipment would be added to the interior electrical room for one new pump and minor improvements. The building exterior would be unchanged.

In conjunction with the project, the existing exterior sludge blend tank, belt press feed pumps, and concrete retaining wall in the current sludge storage and loading area to the west of the dewatering building would be demolished and removed.

A load-out structure capable of loading two truck trailers would be installed at the northwest corner of the dewatering building. The load-out structure would consist of a steel-framed platform over two trailer filling areas. The trailer filling areas would each have a clear height of 14 feet and a clear width of 14 feet for driving full-size tractor trailers under the platform. A concrete slab installed on the metal deck would cover the trailer filling areas. The new platform would support a screw conveyor system constructed from the centrifuges to the load-out structure. A new exterior stairway and a walkway to the centrifuge building would provide access to the conveyor deck for maintenance and viewing of the loading process. The soffit of the load-out structure platform and the top conveyor, walkway, and stairway would have local light fixtures for non-daylight safe access to these areas. The light fixtures will be selected to be downcast and shielded.

Plant Roadway Extension

The Plant roadway extension would connect an existing roadway by the washwater recovery basins to an existing service road connected to the main Plant areas. There would be about a 20-foot elevation gain along this short roadway, so mechanically stabilized concrete retaining walls would be used to support the roadway and avoid the use of large amounts of soil fill. The purpose of this new roadway would be to provide a separate egress-ingress route for vehicles in the upper sludge drying basin area for improved internal vehicle circulation, improved fire and

emergency vehicle access, and to provide a second route for delivery trucks to the main Plant facilities. This planned roadway is completely within the Plant process areas and would not be for public use. The new roadway would include downcast, shielded area light fixtures to aid safe vehicle travel during non-daylight hours.

Washwater Recovery Basins

The existing asphalt lining of the washwater recovery basins (WRBs) would be repaired. The footprints of the WRBs would not change, but existing overflow weirs serving the WRBs would be adjusted to a higher elevation to increase capacity. The heights of the existing weir walls would be increased by casting new concrete walls on top of the existing walls. New, more efficient, high capacity sump pumps would be installed to completely empty the WRBs. One of the existing washwater return pumps would be replaced with a new pump with a higher capacity.

New basin washdown stations would consist of high-pressure sprayers located along the perimeter of the basins to wash water into the basins.

Yard Piping

New yard piping would consist of process lines for the gravity thickeners, centrifuge feed, centrate, decant, sludge (underflow), basin washdown stations, potable water, stormwater conveyance, and drains. All of these pipelines are typically located only within the dewatering and washwater recovery basin area of the Plant, but may tie in with existing piping systems connected to this area. The new piping would generally be between 4 and 24 inches in diameter and would include:

- Conveying centrate flows from the centrate pump station that ties in with existing piping, to the lower sludge drying basins and/or deliver flows to the washwater recovery basins and/or gravity thickeners using new piping
- Providing clarifier underflow piping from the existing clarifier to the new gravity thickeners
- Providing new bypass piping around the gravity thickeners that ties in with both the existing clarifier underflow piping, and the existing piping that will convey these flows to the lower sludge drying basins
- Providing thickened solids piping from the gravity thickeners to the thickened sludge mixing tank and centrifuge feed pumps
- Providing centrate piping from the centrifuges to the centrate wetwell and pump station
- Providing potable water piping from an existing water line to the new washwater recovery basins washdown stations
- Relocating existing water piping with new water piping to make room for other improvements
- Providing decant water piping from the gravity thickeners that ties-in with existing piping, to convey flows to the lower sludge drying basins
- Providing sludge piping from the washwater recovery basins to the centrate wetwell that ties-in with existing piping, to convey flows to the lower sludge drying basins
- Providing sanitary sewer pipes that tie in with the existing service
- Providing stormwater conveyance pipes
- Providing polymer solution conveyance pipes or hoses
- Providing various pipes around process equipment for draining, washdown, mixing, equipment bypasses, and miscellaneous uses

Additionally, the existing drain pipes from the dewatering building would be intercepted immediately south of the dewatering building and directed to flow by gravity to the existing sanitary sewer east of the dewatering building.

Three pipes currently drain into the north WRB from the dewatering building: an 8-inch-thickened solids overflow drain, an 8-inch washwater drain, and a 6-inch process drain. The two 8-inch drains would be abandoned. The 6-inch process drain would be intercepted and routed to the centrate pump station.

New piping would be installed in trenches of the appropriate size and depth to accommodate the specified pipe dimensions and functions. The ground surface would be returned to finished grade upon completion of the piping installation.

Electrical and Instrumentation Conduits

New underground electrical and instrumentation conduits would be installed along alignments from the Control Building to the new and existing facilities. These conduits are typically grouped together into "duct banks" that may or may not be concrete encased. Other conduits would be installed between the WRBs, dewatering building, centrifuge building, and other new process structures. These conduits would contain wiring and fiber optic cables to provide power for new structures and equipment and communication for process control and other purposes. Concrete vaults would be installed where required to allow wire and cable installation and maintenance. The ground surface would be returned to finished grade upon completion of the project.

Disposal

Construction activities associated with the project would require fill and excavation of 9,610 cubic yards of material. Suitable excavated soil would be reused on-site, and remaining materials would be recycled or disposed of as appropriate at a landfill. Additionally, 2,120 cubic yards of concrete and 340 cubic yards of asphalt would be installed.

Staging and Work Areas

Construction at the Plant would primarily occur in developed portions of the upper sludge drying basins area. A small linear work area would extend through a vegetated slope between the drying basins and the primary treatment facilities to allow trenching and installation of conduits. The proposed roadway would extend across a vegetated slope area along the east side of the WRBs.

Staging areas would be located on Plant grounds just north of the clarifiers. The staging area would be accessed from More Avenue using the Plant's existing service roads. Workers would park up to 10 crew trucks and/or passenger vehicles and all equipment used for proposed improvements in the staging area. The staging area could also be used for stockpiling of materials. As the construction proceeds, staging areas near and around the dewatering building and WRBs would be used.

Equipment that would be used for construction of the project would include loader-backhoes, concrete mixers, concrete and pipe saws, cranes, excavators, forklift, paver, plate compactor, concrete and water pumps, roller compactors, water trucks, wheeled loaders, bulldozers, drilling rigs, hoe-rams, welding machines, air compressors, electrical power generators, street cleaning machines, paint sprayers, grinders, and trucks for materials delivery. Equipment would be operated during normal work hours from 8am to 5pm throughout construction. All equipment would be stored and maintained at the staging area when not in use.

Construction Access

Access to the construction site would be limited to a designated haul route. Trucks would travel on Highway 17, Lark Avenue, Winchester Boulevard, Knowles Drive, Pollard Road, and More Avenue. No residential streets beyond those indicated would be utilized for construction access purposes.

Construction Schedule

Project construction is proposed to begin in June 2013 and would be completed in approximately 28 months. Construction would typically take place Monday through Friday, between 8:00 am and 5:00 pm. Construction workers would arrive before the start of work hours. Extended construction hours may be needed to complete concrete pours, piping tie-ins, or electrical tie-ins associated with the project. To account for a potential worst-case scenario, the project description anticipates a few days of extended construction hours to 8:00 pm.

Best Management Practices

Best Management Practices (BMPs) are practices that prevent, avoid, or minimize potentially adverse effects associated with construction and other activities. The District routinely incorporates a wide range of BMPs into project design as described in detail in its *Best Management Practices Handbook* (District 2011). The BMPs, as summarized in **Table 2-1**, will be incorporated into the construction documents (plans and specifications) so contractors employed on the proposed project will be contractually required to adhere to them.

Table 2-2
Best Management Practices for Construction Activities

General Construction Site Housekeeping
• The work site, areas adjacent to the work site, staging area, and access roads will be maintained in an orderly condition, free and clear from debris and discarded materials. Personnel will not sweep, grade, or flush surplus materials, rubbish, debris, or dust into storm drains or waterways. Upon completion of work, all building materials, debris, unused materials, concrete forms, and other construction-related materials will be removed from the work site. (Water Quality BMP 18) • To prevent mosquito breeding on construction sites, the District will ensure that surface water is gone within four days (96 hours). All outdoor grounds will be examined and unnecessary water that may stand longer than 96 hours will be drained. Construction personnel will properly dispose of unwanted or unused artificial containers and tires. If possible, any container or object that holds standing water that must remain outdoors will be covered, inverted, or have drainage holes drilled. (California Department of Public Health 2008) • 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 CCR 1526. All temporary sanitary facilities will be placed outside of the creek channel and flood plain and removed when no longer necessary. (Service Systems BMP 1)
Air Quality
Basic Dust Control for all construction sites Implement Bay Area Air Quality Management District (BAAQMD) Basic Control Measures for construction emissions of PM₁₀ at all construction sites. Current measures stipulated by the BAAQMD CEQA Guidelines include the following (BAAQMD 1999): • Active areas shall be watered at least twice per day unless soils are already sufficiently moist to avoid dust. The amount of water must be controlled so that runoff from the site does not occur, yet dust control is achieved. • Trucks hauling soil, sand, and other loose materials shall be covered or shall maintain at least two feet of freeboard. • Unpaved access roads, parking areas and staging areas at construction sites shall be paved, watered three times daily, or non-toxic soil stabilizers shall be applied to control dust generation. • Paved site access roads, parking areas, and staging areas shall be swept daily (with vacuum-powered street sweepers). • Paved public streets shall be swept (with vacuum-powered street sweepers) if visible soil material is carried onto adjacent paved surfaces. Avoid Stockpiling potentially odorous Materials Some sites will have materials that are rich in organic matter decaying in an anaerobic condition, which generates assorted malodorous gases, such as reduced sulfur compounds. These materials will be handled in a manner that avoids impacting sensitive receptors. • Avoid stockpiling potentially odorous materials within 1,000 feet of residential areas or other odor sensitive land uses. • Where appropriate, odorous stockpiles will be disposed of at an appropriate landfill. Additional Dust Control Measure Implement appropriate Bay Area Air Quality Management District (BAAQMD) Optional Control Measures for construction emissions of PM₁₀ at all construction sites. BAAQMD Optional Control Measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors, or which for any other reason may warrant additional emissions reductions. Current measures stipulated by the BAAQMD CEQA Guidelines include the following (BAAQMD 1999): • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. • Install wind breaks or plant trees/vegetation wind breaks at windward side(s) of construction areas.

- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- Limit the area subject to excavation, grading, and other construction activity at any one time.
- Tailgates of trucks shall be sealed.
- Trucks shall be brushed down before leaving the site.

Water Quality Protection

- Suitable erosion control, sediment control, source control, treatment control, material management, and non-stormwater management BMPs will be implemented consistent with the latest edition of the California Stormwater Quality Association "Stormwater Best Management Practices Handbook," which is available at www.cabmphandbooks.com. (Water Quality BMP 41)
- If soil is to be stockpiled, no run-off will be allowed to flow to a creek. (Water Quality BMP 5)
- 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. (Water Quality BMP 40)
- Vehicles will be washed only at the approved area in the corporation yard. No washing of vehicles will occur at job sites. (Hazards & Hazardous Materials BMP 9)
- No fueling will be done in a waterway or immediate flood plain, unless equipment stationed in these locations is not readily relocated (i.e., pumps, generators). For stationary equipment that must be fueled on-site, containment will be provided in such a manner that any accidental spill of fuel will not be able to enter the water or contaminate sediments that may come in contact with water. All fueling done at the job site will provide containment to the degree that any spill will be unable to enter any waterway or damage riparian vegetation. (Hazards & Hazardous Materials BMP 10)
- All servicing of equipment done at the job site will provide containment to the degree that any spill will be unable to enter any channel or damage stream vegetation. If emergency repairs are required, containment will be provided equivalent to that done for fueling or servicing. (Hazards & Hazardous Materials BMP 11)
- Measures will be implemented to ensure that hazardous materials are properly handled and the quality of water resources is protected by all reasonable means.
 1. Prior to entering the work site, all field personnel will know how to respond when toxic materials are discovered.
 2. The discharge of any hazardous or non-hazardous waste as defined in Division 2, Subdivision 1, Chapter 2 of the California Code of Regulations will be conducted in accordance with applicable State and federal regulations.
 3. In the event of any hazardous material emergencies or spills, personnel will call the Chemical Emergencies/Spills Hotline at 1-800-510-5151. (Hazards & Hazardous Materials BMP 12)
- Prevent the accidental release of chemicals, fuels, lubricants, and non-storm drainage water.
 1. Field personnel will be appropriately trained in spill prevention, hazardous material control, and clean-up of accidental spills.
 2. No fueling, repair, cleaning, maintenance, or vehicle washing will be performed in a creek channel or in areas at the top of a channel bank that may flow into a creek channel. (Hazards & Hazardous Materials BMP 13)
- Spill prevention kits appropriate to the hazard will always be in close proximity when using hazardous materials (e.g., crew trucks and other logical locations).
 1. Prior to entering the work site, all field personnel will know the location of spill kits on crew trucks and at other locations within District facilities.
 2. All field personnel will be advised of these locations and trained in their appropriate use. (Hazards & Hazardous Materials BMP 14).

Construction Noise Control

The District will implement practices that minimize disturbances to residential neighborhoods surrounding work sites.

- Noise produced by construction activities will not exceed the applicable local noise ordinance standards of the City of Los Gatos
- In general, work will be conducted during normal working hours. Extending weekday hours and working weekends may be necessary to complete some projects.

- Internal combustion engines will be equipped with adequate mufflers.
- Excessive idling of vehicles will be prohibited.
- All construction equipment will be equipped with manufacture's standard noise control devices
- The arrival and departure of trucks hauling material will be limited to the hours of construction.
- The use of jake brakes is prohibited in residential areas. (Noise BMP 2)

Construction Traffic Control

- 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. (Traffic BMP 2)

Biological Resources Protection

- Nesting birds are protected by state and federal laws. The District will protect nesting birds and their nests from abandonment, loss, damage or destruction. Nesting bird surveys will be performed by a qualified individual (EMAP-30230) prior to any activity that could result in the abandonment, loss, damage or destruction of birds, bird nests, or nestling migratory birds. Inactive bird nests may be removed, with the exception of raptor nests. No birds, nests with eggs, or nests with hatchlings will be disturbed. (Biological Resources BMP 8)
- Nesting exclusion devices may be installed to prevent potential establishment or occurrence of nests in areas where construction activities would occur. All nesting exclusion devices will be maintained throughout the nesting season or until completion of work in an area makes the devices unnecessary. All exclusion devices will be removed and disposed of when work in the area is complete. (Biological Resources BMP 9)
- Vegetation to be trimmed or cleared will be evaluated by a qualified vegetation specialist or qualified biologist prior to impacts and the qualified vegetation specialist or qualified biologist recommendations will be followed.
- Survey cross-sections will be moved, within acceptable tolerances, to avoid cutting dense riparian vegetation and minimize cutting of woody vegetation, taking advantage of natural breaks in foliage. If the cross-section cannot be moved within the established acceptable tolerances to avoid impacts to dense riparian or woody vegetation, the cross-section will be abandoned.
- Cutting vegetation will be limited to the minimum length, width, and height necessary for safely accessing survey locations, and completing the cross-section surveys. Tree pruning will conform to International Society of Arboriculture (ISA) pruning standards. No trees with a 6-inch or greater diameter at breast height will be removed; and, no branches greater than 4" diameter will be removed.
- Woody vegetation (i.e. native trees and shrubs) which require pruning for equipment access, construction operations, etc, shall be pruned correctly such that health status is maintained and no post-construction impacts accrue. Woody vegetation will be pruned consistent with all three of the following complementary guidance or their updates:

1. 'Best Management Practices, Tree Pruning' 2008, International Society of Arboriculture; and
2. Ansi A300 (part 1) – 2008 Pruning; and
3. Ansi Z133.1, 2008, Safety Requirements.

Woody material (including live leaning trees, dead trees, tree trunks, large limbs, and stumps) will be retained on site, unless it is threatening a structure or impedes access, in which case it must moved to a less threatening position. (Biology 10)

- Whenever native species are prescribed for installation on SCVWD fee properties or easements, the following steps will be taken by a qualified biologist or vegetation specialist:
 1. Evaluate whether the plant species currently grows wild in Santa Clara County; and,
 2. If so, the qualified biologist or vegetation specialist will determine if any need to be local natives, i.e. grown from propagules collected in the same or adjacent watershed, and as close to the project site as feasible.

Also, consult a qualified biologist or vegetation specialist to determine which seeding option is ecologically appropriate and effective, specifically:

1. For areas that are disturbed, an erosion control seed mix may be used consistent with the SCVWD *Guidelines and Standards for Land Use Near Streams, Design Guide 5, 'Temporary Erosion Control Options.'*
2. In areas with remnant native plants, the qualified biologist or vegetation specialist may choose an abiotic application instead, such as an erosion control blanket or seedless hydro-mulch and tackifier to

facilitate passive revegetation of native species.

3. Temporary earthen access roads may be seeded when site and horticultural conditions are suitable.
4. If a gravel or wood mulch has been used to prevent soil compaction per BI-11, this material may be left in place [if ecologically appropriate] instead of seeding.

Seed selection shall be ecologically appropriate as determined by a qualified biologist, per *Guidelines and Standards for Land Use Near Streams, Design Guide 2: Use of Local Native Species*; and, *Supplemental Landscaping/Revegetation Guidelines* (ISO document WQ71001). (Biological Resources BMP 13)

- 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. (Biological Resources BMP 16)
- Remove trash daily from the worksite to avoid attracting potential predators to the site. (Biology 17)

Cultural Resources Protection

- Work in areas where archaeological artifacts are found will be restricted or stopped until proper protocols are met. Work at the location of the find will halt immediately within 30 feet of the find. A Consulting Archaeologist will visit the discovery site as soon as practicable for identification and evaluation pursuant to Section 21083.2 of the Public Resources Code and Section 15126.4 of the California Code of Regulations. If the archaeologist determines that the artifact is not significant, construction may resume. If the archaeologist determines that the artifact is significant, the archaeologist will determine if the artifact can be avoided and, if so, will detail avoidance procedures. If the artifact cannot be avoided, the archaeologist will develop within 48 hours an Action Plan which will include provisions to minimize impacts and, if required, a Data Recovery Plan for recovery of artifacts in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines. (Cultural Resources BMP 2)
- Work in areas where any burial site is found will be restricted or stopped until proper protocols are met. Upon discovering any burial site as evidenced by human skeletal remains, the County Coroner will be immediately notified. No further excavation or disturbance within 30 feet of the site or any nearby area reasonably suspected to overlie adjacent remains may be made except as authorized by the County Coroner, California Native American Heritage Commission, and/or the County Coordinator of Indian Affairs. (Cultural Resources BMP 3)

Source: Santa Clara Valley Water District 2011

Section 3 Environmental Setting

Project Location

The project site is located at the District Plant at 400 More Avenue in the Town of Los Gatos (**Figure 2-1**). Proposed activities associated with the project would occur entirely within the Plant grounds.

Physical Environment

The Plant is located on approximately 39.6 acres in the foothills of the Santa Cruz Mountains. The terrain in the area consists of hills that support foothill chaparral, oak woodland, and annual grassland plant communities. Rivers and creeks in the area flow east toward the Santa Clara Valley and are mostly dry during the summer and early fall. The elevation at the site ranges from 446 feet at the More Avenue entrance to 286 feet at the Granada Way entrance.

The Plant is located within a residential area and is bounded by More Avenue to the west, Granada Way to the north, La Rinconada County Club golf course to the east, and residential housing to the south. Smith Creek, which originates upstream in the Santa Cruz Mountains, parallels the eastern boundary of the water Plant property and continues downstream along the western edge of the Country Club golf course.

Much of the Plant is developed with buildings, parking lots, roads, water treatment and storage facilities, and other structures. Plant communities on the water treatment Plant grounds consist of coast live oak and blue oak woodlands, scattered eucalyptus trees within native and mixed scrublands and landscaped areas.

Section 4 Environmental Evaluation

Initial Study Checklist

In accordance with CEQA, the following Initial Study Checklist is an analysis of the project's potential environmental effects to determine whether an Environmental Impact Report is needed. Answers to the checklist questions provide factual evidence and District rationale for determinations of the potential significance of impacts resulting from the proposed project.

The Initial Study checklist shows that the proposed project may have potentially significant effects on biological resources, noise, traffic, and utilities. Mitigation measures have been proposed for the project to reduce such effects to less-than-significant levels; and therefore, the proposed Mitigated Negative Declaration is consistent with CEQA Guidelines §15070. Descriptions of the BMPs and/or mitigation measures to be incorporated in the proposed project are included.

Background

- | | | |
|-----|---|--|
| 1. | Project Title: | Rinconada Water Treatment Plant Residuals Management Project |
| 2. | Lead Agency Name and Address: | Santa Clara Valley Water District
5750 Almaden Expressway
San Jose CA 95118 |
| 3. | Contact Person and Phone Number: | Elise Latedjou-Durand
(408) 265-2607, ext. 3205 |
| 4. | Project Location: | 400 More Avenue, Los Gatos |
| 5. | Project Sponsor's Name and Address: | Santa Clara Valley Water District
5750 Almaden Expressway
San Jose CA 95118 |
| 6. | General Plan Designation: | Low Density Residential |
| 7. | Zoning: | Single Family Residential |
| 8. | Description of the Project: | The Project proposes to re-construct a portion of the existing Plant facility over a period of 28 months. All construction activities would occur within the existing Plant using existing ingress and egress. |
| 9. | Surrounding Land Uses and Setting: | The Plant is surrounded by residential and open space land uses. The La Rinconada Country Club and La Rinconada Park border the site to the east and northeast. The remainder of the Plant is bordered by single family homes. |
| 10. | Other public agencies whose approval may be required: | Town of Los Gatos, San Francisco Bay Regional Water Quality Control Board, and California Department of Fish and Wildlife |

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	✓
I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Elise Latedjou-Durand, Environmental Planner

Date

Aesthetics

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Have a substantial adverse effect on a scenic vista?				✓
2) Substantially damage publicly visible scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
3) Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

Discussion

Impact AES-1 and Impact AES-2: Substantial Adverse Effect on Scenic Vista and Resources Including Trees, Rock Outcroppings, and Historic Building within a State Scenic Highway (No Impact)

No designated scenic vistas of regional importance are identified in the Santa Clara County or Los Gatos general plans, and no designated scenic routes are present in the project vicinity. Since there are no designated scenic vistas within the project area, the project would not have an effect on a scenic vista.

Within Santa Clara County, Highway 9 west of Highway 17 is a designated state scenic highway (Caltrans 2007). At its nearest point, Highway 9 is approximately 1.3 miles south of the project area. The project would not be visible from this highway. Interstate 280 north of Highway 17 and Highway 17 south of Highway 9 are eligible state scenic highways. However, these roadways are located approximately 4.2 miles and 2.1 miles respectively from the project area and views of the project are not available from these roadways. There are no Designated or Eligible State Scenic Highways within the project view shed; therefore, the project would not affect scenic resources within a state scenic highway.

Impact AES-3: Substantial Degradation of Existing Visual Character or Quality of the Project Site and Surroundings Associated with Construction of the Proposed Project (Less than Significant Impact)

Four photographs, presented on **Figures 4-1.1 and 4-1.2**, show the views of the project area. These photographs are provided to illustrate the following discussion of potential visual effects on the existing setting. As outlined in the project description, the project proposes improvements in the vicinity of the upper sludge drying basins. **Figure 4-2** presents a visual rendering of the proposed residuals management facilities.

The upper sludge drying basins area is generally screened from view by site topography and landscaped vegetation. Views A and B (**Figure 4-1.1**), taken from the northern perimeter of the Plant, illustrate that views of the site from public vantage points are highly obstructed. Proposed construction activity and improvements would not be visible from public locations, such as those

along More Avenue and Granada Way. New facilities would not be noticeable from public or residential viewpoints after construction. Building construction methods, materials, and colors would match existing structures as closely as possible to provide a uniform and cohesive aesthetic; therefore, these changes would not significantly impact the visual character or quality of the site given the developed nature of the immediate area (existing water Plant facilities).

Additionally, proposed changes would not obstruct views from surrounding properties of the valley, mountains, and surrounding habitat. The new structures would not protrude above the natural ridgeline or otherwise alter its natural contour. In light of the limited visibility of proposed construction activity and facilities, the aesthetic impacts of the project are considered less than significant.

Impact AES-4: Creation of a New Source of Substantial Light or Glare that Would Adversely Affect Daytime or Nighttime Public Views in the area (Less than Significant)

Nighttime lighting of proposed facilities would be designed consistent with current practices to control fugitive light and glare while maintaining safety and compliance with applicable standards. Lighting would be low intensity, and to the extent possible would be directed downward, shielded, and oriented such that no light source would be directly visible from neighboring residential areas. Proposed facilities would not create a new source of substantial light that would adversely affect views in the area. Impacts related to lighting are considered less than significant.

As discussed above, proposed changes would not create a new source of substantial glare given the developed nature of the immediate area (existing water Plant facilities and operations). Additionally, new facilities would not be noticeable from public or residential viewpoints. Based on the consistency of site design and use, and the lack of visibility, impacts related to glare are considered less than significant.

Figure 4-1.1 Off-site Visual Character Photos

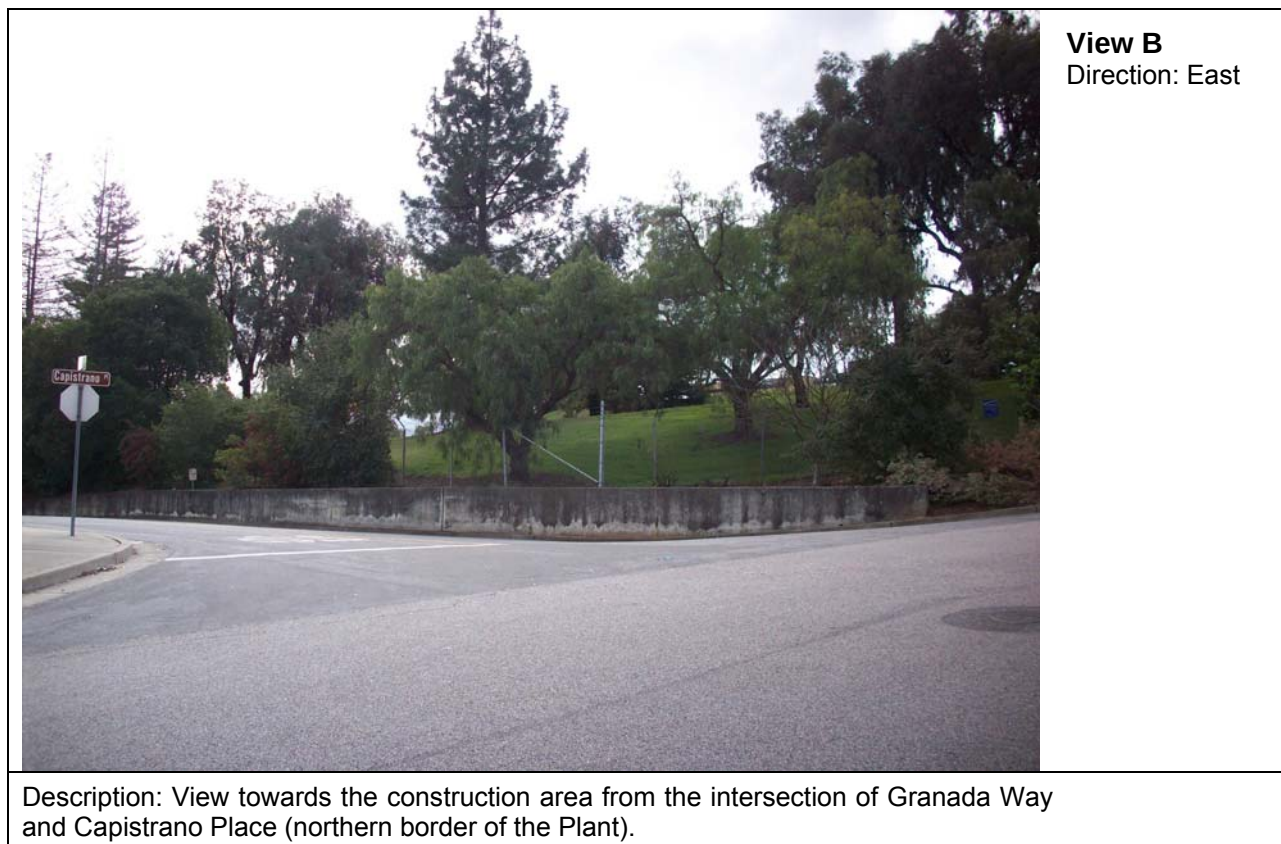


Figure 4-1.2 On-site Visual Character Photos

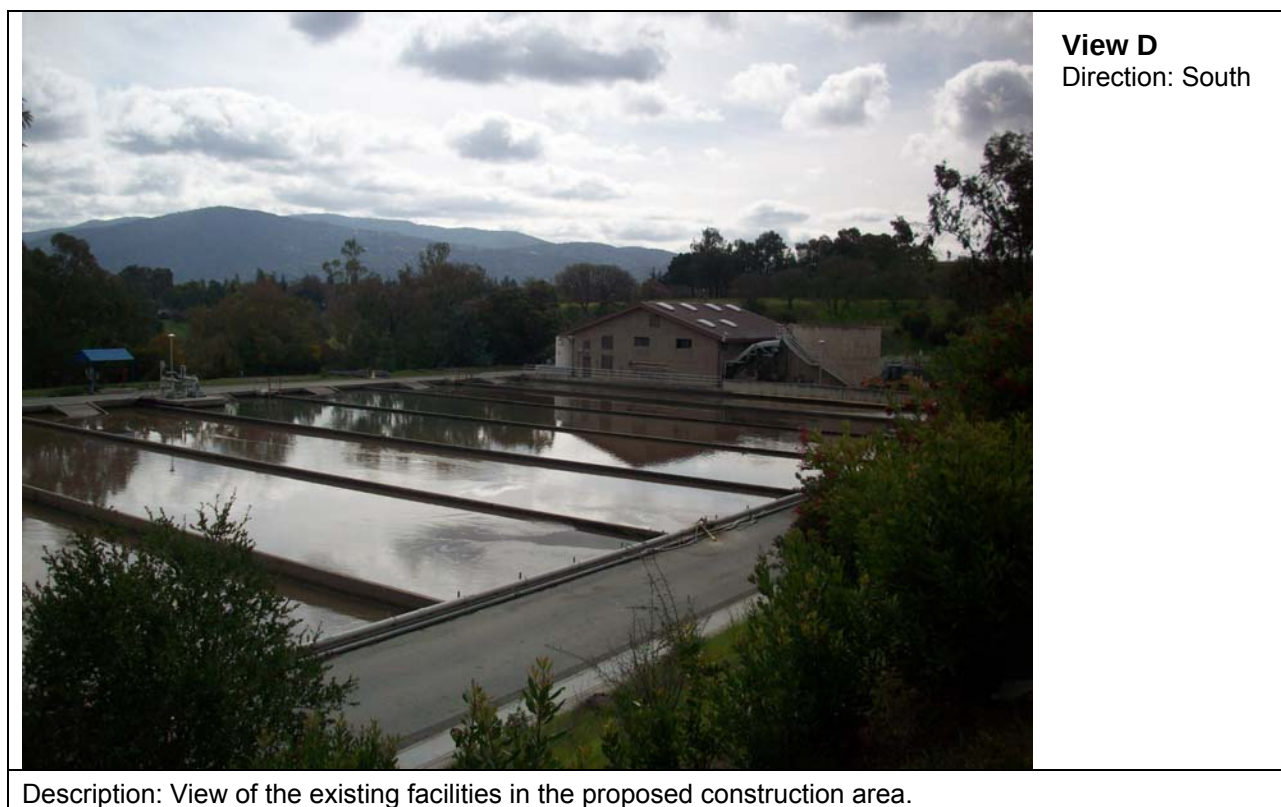


Figure 4-2 Site Renderings



View E

Direction: Southwest

Description: Rendering of proposed residuals management facilities.

Agricultural Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
4) Result in the loss of forest land conversion of forest land to non-forest use?				✓
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?				✓

Discussion

Impact AG-1 through AG-5: Convert Farmland to Non-Agriculture Use, Conflict with Existing Zoning for Agriculture Use or a Williamson Act Contract, or Involve Other Changes that Could Result in Conversion of Farmland to Non-Agricultural Use (No Impact)

The project site is located within an operating Plant and is surrounded by residential and open space uses. The site is designated by the California Department of Conservation as Urban and Built-up Land (CDC 2009). The site does not include active agricultural uses, nor is the site zoned for agricultural land use or a Williamson Act contract (Los Gatos 2011). The project would not have any effect upon existing agricultural operations because there are none in the vicinity of the project.

The project site does not meet the definition of forest land, timberland, or timberland zoned Timberland Production as specified in the applicable Public Resource and Governments Codes. The site does not include active forest land or timberland uses, nor is the site zoned for forest land use or timberland production (Los Gatos 2011). The project would not have any effect upon agricultural, forest land, or timber land uses because there are none in the vicinity of the project.

The proposed project would not be expected to contribute directly or indirectly to conversion of farmland to nonagricultural use, or conflict with zoning or Williamson Act contracts.

Air Quality and Greenhouse Gases

Air Quality Overview

Air quality is determined primarily by the type and amount of contaminants emitted into the atmosphere, the size and topography of the basin, and the basin's meteorological conditions.

The project area, located within the Santa Clara Valley, is part of the San Francisco Bay Area Air Basin (SFBAAB). Air quality conditions in the SFBAAB are regulated by the Bay Area Air Quality Management District (BAAQMD). National and state air quality standards specify the upper limits of concentrations and duration in the ambient air for several criteria pollutants: ozone, carbon monoxide (CO), nitrogen dioxide, particulate matter less than or equal to 10 microns in diameter (PM10), sulfur dioxide, and lead.

Greenhouse gases Overview

California Legislature passed Assembly Bill 32 (AB32), the Global Warming Solutions Act of 2006, that mandated greenhouse gas (GHG) be reduced to 1990 levels by 2020. Senate Bill 97 required the Governor's Office of Planning and Research to develop and recommend new guidelines to analyze greenhouse gas impacts under CEQA. California Natural Resources Agency adopted new guidelines on December 31, 2009, requiring lead agencies to analyze GHG emissions under § 15064.4 of the CEQA Guidelines during their CEQA review through California.

The major category of GHG emissions resulting from human activities is carbon dioxide (CO₂). Several other primary gases also include methane, nitrous oxide, sulfur hexafluoride, perfluorocarbons, and hydrofluorocarbons. GHG sources resulting from project construction activities are typically generated from transportation of materials to the project site and petrol based equipment used during construction of the project itself. Stationary sources emit GHG from a single point source such as a smoke stack.

The State Air Resources Board or California Air Resources Board (CARB) is the state agency charged with monitoring and regulating sources of greenhouse gas emissions under AB32. California's thirty-five local air pollution control districts (APCD's) and air quality management district's (AQMD's) are the agencies primarily responsible for regulating stationary sources of air pollution. These air districts traditionally provide guidance to lead agencies on the evaluation of air pollutants under CEQA.

§15064.4 of CEQA guidelines provides that a lead agency has discretion to determine which type of analysis approach to utilize for a given project level GHG analysis, including whether to:

“(1) Use a model or methodology to quantify GHG emissions resulting from a project, and indicate which model or methodology is used. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

(2) Rely on a qualitative analysis or performance based standards.”

Determination of Significance

The BAAQMD typically acts as the responsible agency for setting CEQA air emission thresholds within the SFBAAB. State CEQA Guidelines state that the significance criteria established by applicable air quality management or air quality control districts may be relied on to make significance determinations. In 2010, the BAAQMD adopted air quality guidance which included significance thresholds and recommended mitigation measures for criteria air pollutants and GHG emissions. In March 2012, an Alameda County Superior Court ruled that BAAQMD needed to comply with CEQA prior to adopting its 2010 Air Quality CEQA Guidelines. The Superior Court did not determine whether the thresholds were valid on the merits, but found that

the adoption of the thresholds was a project subject to CEQA review. The court ordered a writ of mandate ordering BAAQMD to set aside the thresholds and cease dissemination of them until BAAQMD complied with CEQA. In May 2012, BAAQMD filed an appeal with the Court of Appeals, First Appellate District, and the plaintiff filed a cross-appeal shortly thereafter.

While BAAQMD is no longer recommending its significance thresholds for use by local agencies at this time because of the recent lawsuit and appeal, the District has independently reviewed the BAAQMD-proposed thresholds and determined that they are supported on substantial evidence and are appropriate for use in determining significance for this project. Specifically, the District has reviewed a number of BAAQMD reports (2012) that provide substantial evidence supporting its thresholds. Following this review, the District determined that the BAAQMD thresholds are well founded on scientific evidence and reasoning concerning air quality and GHG emissions. In particular, the BAAQMD's 2011 Threshold of Significance Justification explains the agency's reasoning for adopting the thresholds. The District also determined that the BMPs cited in this document would be effective in reducing air quality impacts from this project.

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Conflict with or obstruct implementation of applicable air quality plans?				✓
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
4) Expose sensitive receptors to substantial pollutant concentrations?			✓	
5) Create objectionable odors affecting a substantial number of people?				✓
6) Generate significant levels of greenhouse gas emissions during construction		✓		
7) Generate significant levels of greenhouse gas emissions during operation			✓	

Discussion

Impact AQ-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan (no Impact)

A proposed action is considered inconsistent with air quality plans if it would result in population and/or employment growth that exceeds growth estimates included in the applicable Air Quality Plan. The proposed action consists of upgrading structures in an existing Plant. The upgrade of the structure would not induce population or employment growth that has not been anticipated in the Air District's plan; therefore, there would be no impact.

Impact AQ-2: Violate Any Air Quality Standard, Contribute Substantially to an Existing or Projected Air Quality Violation (Less than Significant)

Construction

Potential air quality impacts associated with the proposed project would be limited to those resulting from short-term construction activities. There would be no change in on-going stationary or mobile source emissions that would result from the project once the upgrades are completed

As discussed above in determining significance for air quality impacts, the District is comparing project impacts against the following thresholds:

- 54 pounds/day reactive organic gases (ROG) and oxides of nitrogen gas (NO_x)
- 82 pounds/day respirable particulates (PM₁₀)² from equipment exhaust only
- 54 pounds/day fine particulates (PM_{2.5})³ from equipment exhaust only

Construction activities would result in temporary emission of ROG and NO_x, both of which are precursors to ozone formation, as well as carbon monoxide (CO) and particulate matter (both PM₁₀ and PM_{2.5}) from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Emission levels for construction activities would vary depending on the number and type of equipment, duration of use, operation schedules, and the number of construction workers. Criteria pollutant emissions of ROG and NO_x from these emission sources would incrementally add to the regional atmospheric loading of ozone precursors during project construction.

Based on the proposed construction activities, construction-related emissions were estimated using the URBEMIS 2007 model in accordance with the BAAQMD *CEQA Air Quality Guidelines*. Results are summarized in **Table 4-1**. The emission levels after applying air quality BMPs are also included in Table 4-1. As indicated in this table, all estimated emissions associated with construction activities are below applicable BAAQMD thresholds. In the case of CO, the BAAQMD did not recommend a numeric threshold for construction emissions, but recommended applying BMPs to reduce emission levels.

² particulate matter with an aerodynamic resistance diameter of 10 micrometers or less

³ particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

Table 4-1 Project-Related Construction Emissions					
Emissions Source ^a	Criteria Air Pollutant Daily Emissions (lbs/day)				
	ROG	NO _x	PM ₁₀ (exhaust only)	PM _{2.5} (exhaust only)	CO
2013					
-Total emissions before air quality BMPs	3.74	52.93	2.07	1.95	23.56
-Total emissions with air quality BMPs	3.74	18.64	0.17	0.16	23.56
2014					20.41
-Total emissions before air quality BMPs	48.63	41.02	1.93	1.80	20.41
-Total emissions with air quality BMPs	48.63	22.61	0.47	0.43	
BAAQMD Significance threshold	54	54	82	54	N/A
a Emissions estimates were generated using the Air Resources Board's URBEMIS 2007 model for the San Francisco Bay Air Basin, and assume a default vehicle mix.					

Construction-related fugitive dust emissions would vary from day to day, depending on the level and type of activity, silt content of the soil, and the weather. Construction activities may result in quantities of dust, and as a result, local visibility and PM₁₀ concentrations may be adversely affected on a temporary and intermittent basis during the construction period. In addition, the fugitive dust generated by construction would include not only PM₁₀ but also larger particles that would fall out of the atmosphere within several hundred feet of the site and that could result in nuisance-type impacts. To be consistent with the BAAQMD dust control measures, the District will incorporate the dust control BMPs into project plans and specifications. Consistent with the BAAQMD *CEQA Air Quality Guidelines*, with incorporation of the best management practices, fugitive dust impacts would be considered less than significant.

The 2010 CAP control measures were designed to improve air quality by reducing emissions of ozone precursors, particulate matter, key air toxics, and key greenhouse gases. As described in the CAP, control measures will be implemented via various mechanisms including rule development, partnerships, grants and incentives, public outreach, policies, and land use guidelines. Consequently, none of the specified control measures would be directly applicable to the proposed project (D. Vintze, personal communication); therefore, the project does not require inclusion of CAP control measures.

Additionally, the project does not include development or a change in land use; therefore, the project would not hinder, disrupt, or delay implementation of any CAP control measures.

Since the project would not result in significant and unavoidable air quality impacts, the project would be considered consistent with the 2010 CAP and therefore would not violate any air quality standard, or contribute substantially to an existing or projected air quality violation. Impacts to air quality are considered less than significant with the implementation of appropriate BMPs.

Impact AQ-3: Cumulatively Considerable Net increase of any Criteria Pollutant for which the Project Region is a Nonattainment Area (Less than significant)

As shown in Table 4-1 and discussed above, the project's construction-related emissions of ROG, NO_x, PM₁₀, and PM_{2.5} would not exceed the significance thresholds during the project's two year construction duration. The project is located in the SFBAAB, which is designated as a non-attainment area for ozone and particulate matter (BAAQMD 2010b). The significance thresholds represent the levels at which a project's individual emissions of criteria pollutants and precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. If daily average or annual emissions exceed these thresholds, the project would result in a cumulatively significant impact. Since the project's construction-related emissions would be less than significant, its contribution would be less than cumulatively considerable and therefore, less than significant.

Impact AQ-4: Expose Sensitive Receptors to Substantial Pollutant Concentration (Less than Significant)

Construction-related activities could result in the generation of toxic air contaminants (TACs), specifically diesel particulate matter (DPM), from on-road haul trucks and off-road equipment exhaust emissions. Due to the variable nature of the proposed construction activity, the generation of TAC emissions would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. As indicated in the URBEMIS model outputs for the proposed project (**Table 4-1**), construction activities would generate a maximum of 1.95 pounds of PM_{2.5} exhaust (inclusive of DPM) per day, which is well below the BAAQMD recommended significance threshold. Additionally, while no mitigation measure will be required because PM_{2.5} emissions would be less than the significance threshold, the District will implement appropriate BMPs to further reduce DPM exhaust emissions.

Sensitive receptors located within 1,000 feet of proposed construction would be limited to numerous single family homes. The closest homes would be located about 300 feet upwind (prevailing winds in the project area are from the north to northwest) of the active construction area. As discussed above, project-related emissions would be temporary and less than the significance thresholds. Also, construction emissions would dissipate to levels that would not cause a substantial health risk at these distances; therefore, this impact is considered less than significant. The proposed project would not create new sources of substantial pollutant concentrations or expose sensitive receptors to substantial criteria pollutant concentrations.

Impact AQ-5: Create Objectionable Odors Affecting a Substantial Number of People (No Impact).

Construction of the proposed project would not result in objectionable odors to a substantial number of people. Also the new proposed residue management would not generate odorous spoils.

Impact AQ-6: Greenhouse Gas Emissions during Construction (Less than Significant with Mitigation)

Construction-related emissions of greenhouse gases were calculated using the URBEMIS2007 model. Operation-related emissions of greenhouse gases were calculated using CH2M HILL's Parametric Cost Estimating System – Green House Module. Estimated project-related greenhouse gas emissions are presented in **Table 4-2**. Emissions estimates for construction activities include the use of construction equipment, construction worker commute trips, and

haul trips for construction materials. Emissions estimates for operational activities take into account the use of power, chemicals, and solids handling and hauling.

Table 4-2 Estimated Emissions of Greenhouse Gases from Project Operation	
Emission Source	Emissions (metric tons CO₂E per year)
	Total CO₂E
2013 Total construction emissions	7,075.59
2014 Total construction emissions	5,454.51
Total Construction GHG Emissions	12,530.10
BAAAQMD Threshold of Significance	None
Operational power	726
Operational chemicals	24
Operational solids handling and hauling	60
Total Operational GHG Emissions	810
BAAAQMD Threshold of Significance	1,100

GHG from construction includes emissions from equipment and vehicles used for demolition, grading, construction, paving, and mobile emissions (e.g., emissions from combustion of fossil fuels for vehicle trips to and from the project site). GHG from construction activities presented in Table 4.2 indicates construction activities would generate a maximum of 12530.10 tons of CO₂ per year over a 2-year construction period. Once construction activities have ceased, so will the CO₂ emissions. BAAAQMD has not recommended or adopted a quantitative threshold for construction GHG emissions, but recommended that lead agencies incorporate best management practices to reduce GHG emissions during construction. The District will implement Mitigation Measure AQ-6 to reduce GHG emissions from the project. Given the relatively small amount of GHGs that would be emitted from this project during construction, as well as implementation of Mitigation Measure AQ-6 to reduce GHG emissions, the project would not conflict with the state's goals under AB 32 for reducing GHG emissions to 1990 levels by 2020 relative to construction emissions, such that the project's GHG emissions would result in substantial contribution to global climate change. Therefore, this potential impact would be less than significant.

Mitigation Measure AQ-6: Implement Construction Equipment GHG Reduction Measures

SCVWD shall include the following measures, as feasible and where applicable, in construction-contract specifications. These measures, in addition to having other environmental benefits, would also reduce GHG emissions. Some of these measures are part of the Air Resources Board's "Early Action Measures."

- SCVWD will require that contractors maintain tire inflation to the manufacturer's inflation specifications

- SCVWD will require that contractors shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15 minute maximum). The District will implement a construction worker education program.
- Recycling and reuse of building materials from remodeled and demolished buildings.
- Use of recycled-content construction materials in new construction.
- Reuse and rehabilitate existing buildings when appropriate and feasible in order to reduce waste, conserve resources and energy, and reduce construction costs.
- Require new construction and remodels to use energy- and resource-efficient and ecologically sound designs, technologies, and building materials, as well as recycled materials to promote sustainability.
- Reductions in the use of nonrenewable resources in building construction, maintenance, and operations.
- Require LEED certification or comparable certification for new non-residential buildings over 5,000 square feet.

Impact AQ-7: Greenhouse Gas Emissions during Operation (Less than Significant)

The current residual management process includes electrical usage to run the equipment and the use of loaders and haul trucks for disposal. The current design calls for an updated electrical system and the reduction of the volume of dewatered solids, thus reducing the total truck trips for off-site disposal generated by the loaders and haul trucks. The electricity usage to run the updated equipment will increase slightly compared to current usage; however, this impact from increased electrical usage will be offset by the reduction of GHG emissions generated by the loaders and trucks. As shown in Table 4-2 above, the new operational CO₂ emissions are expected to be below BAAQMD Threshold of Significance. Therefore, impact to GHG related to operation is considered less than significant and no mitigation is required.

Biological Resources

Overview

EDAW, Inc. prepared a Biological Impact Assessment in 2006⁴ for the Santa Clara Valley Water District Water Treatment Improvement Project, Stage 2 Rinconada Water Treatment Plant. This report documents the vegetation and the wildlife habitat communities.

Vegetation Communities

Some portions of the Plant is developed and landscaped, while the undeveloped portions are characterized by native and naturalized plant communities. The following sections describe the major plant communities present within the Residuals Management Project area.

Oak-Dominated Communities

In general, the coast live oak/blue oak community on the site is an open to moderately dense woodland dominated by coast live oak (*Quercus agrifolia*), blue oak (*Quercus douglasii*) and gum species (*Eucalyptus* spp.) with an annual grass understory. A variety of shrubs commonly found within Coast Range oak communities are found in association with the oaks; including: toyon (*Heteromeles arbutifolia*), coyote brush (*Baccharis pilularis*), mulefat (*Baccharis salicifolia*), and poison oak (*Toxicodendron diversilobum*). Due to the developed nature of the

⁴ EDAW Inc. 2006. Draft Biological Impact Assessment.

site and its proximity to surrounding urbanization, a variety of non-native trees and shrubs are commonly found within oak communities and include European buckthorn (*Rhamnus cathartica*), Japanese privet (*Ligustrum japonicum*), plum (*Prunus domestica*), and a variety of gum species (*Eucalyptus* spp.). A small stand of pure blue oak, many of which approach 40 inches in total diameter at breast height (dbh), is found directly to the south of the Residuals Management Project area. Annual grassland is dominated by species in the genus *Bromus*. Dominant grass species observed on the site include ripgut (*Bromus diandrus*), soft chess (*B. hordeaceus*), wild oats (*Avena fatua*), and Italian ryegrass (*Lolium multiflorum*).

Landscaped Areas

The landscaped areas consist of horticultural varieties of plants that have been planted around the developed structures, entrances, and parking lots. The proposed project area includes olive trees and ground covers.

Developed Areas

Developed areas on the project site consist of buildings and other structures, parking lots, roads, sludge drying beds, and other cleared areas not supporting vegetation.

Wildlife Habitat and Communities

The Plant property includes developed areas for water treatment facilities, and undeveloped areas that provide habitat for a variety of wildlife species. This is primarily due to the diversity of habitats in undeveloped portions of the site and proximity to natural habitat at nearby Smith Creek, which provides a wildlife corridor between the Santa Cruz Mountains and Los Gatos Creek. Wildlife species utilizing developed portions of the project site include those adapted to altered environments, such as western fence lizard (*Sceloporus occidentalis*), killdeer (*Charadrius vociferus*), American crow (*Corvus branchyrhychos*), raccoon (*Procyon lotor*), and opossum (*Didelphis virginiana*). A variety of bird species were detected in the undeveloped portions of the site, including red-tailed hawk (*Buteo jamaicensis*), Anna's hummingbird (*Calypte anna*), acorn woodpecker (*Melanerpes formicivorus*), ash-throated flycatcher (*Myiarchus cinerascens*), cedar waxwing (*Bombycilla cedrorum*), Bewick's wren (*Thryomanes bewickii*), Bullock's oriole (*Icterus bullockii*), spotted towhee (*Pipilo maculatus*), California towhee (*Melospiza crissalis*), red-winged blackbird (*Agelaius phoeniceus*), house finch (*Carpodacus mexicanus*), and lesser goldfinch (*Carduelis psaltria*). Mammals observed on the site include coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*), domestic cat (*Felis catus*), raccoon, blacktailed deer (*Odocoileus hemionus*), Botta's pocket gopher (*Thomomys bottae*), and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*). The open water habitat provided by the upper sludge drying basins is frequented by mallards (*Anas platyrhynchos*), and killdeer, and may occasionally be used as a stopover by Pacific tree frog (*Hyla regilla*).

Sensitive Biological Resources

A search of records from four USGS 7.5-minute quadrangles (Los Gatos, Cupertino, Castle Rock Ridge, and San Jose West) was performed in both the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS) databases. Below is the list of special-status species that could occur on site. Sensitive biological resources include those that are afforded special protection through the California Environmental Quality Act (CEQA), California Fish and Wildlife Code including the California Endangered Species Act (CESA), federal Endangered Species Act (ESA), the federal Clean Water Act (CWA), or local plans, policies, and regulations.

Special-Status Species

Special-status species include plants and animals that are legally protected or that are otherwise considered sensitive by federal, state, or local resource conservation agencies and organizations. These include:

- plant and wildlife species that are listed by the state and/or federal Endangered Species Act as rare, threatened, or endangered;
- plant and wildlife species considered candidates for listing or proposed for listing;
- wildlife species identified by DFG or the USFWS as species of concern;
- wildlife species identified by DFG as fully protected; and
- plants considered by the CNPS to be rare, threatened, or endangered.

The term California Species of Special Concern is applied by CDFW to animals not listed under the federal ESA or the CESA, but are nonetheless declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist.

Special-Status Plants

A total of twenty special-status plant species have been documented from the CNDDDB and CNPS Inventory. The CNDDDB and CNPS Inventory include four quadrangles that surround the project site. Fifteen of these special-status plant species have at least some potential to occur on or adjacent to the project site. Five species, robust spine-flower (*Arctostaphylos andersonii*), Mt. Hamilton thistle (*Cirsium fontinale* var. *campylon*), Santa Clara Valley dudleya (*Dudleya setchellii*), whiterayed pentachaeta (*Pentachaeta bellidiflora*), and Metcalf Canyon jewel-flower (*Streptanthus albidus* ssp. *albidus*) are state or federally listed as threatened or endangered. The remaining special-status plant species documented in the project vicinity are on CNPS List 1A (presumed extinct in California) or List 1B (plants considered rare, threatened, or endangered in California and elsewhere). No plants with CNPS List 2 (plants that are rare or endangered in California, more common elsewhere) status was found in the database search. Habitat information for these species was obtained from the *Inventory of Rare and Endangered Plants of California* (CNPS 2001). Of the 15 special-status plant species that have been documented in the vicinity of the project site, 8 of these species (Mt. Hamilton thistle, Santa Clara Valley dudleya, fragrant fritillary (*Fritillaria liliacea*), Loma Prieta hoita (*Hoita strobilina*), smooth lessingia (*Lessingia micradenia* var. *glabrata*), white-rayed pentachaeta, Metcalf Canyon jewel-flower, and most-beautiful jewelflower (*Streptanthus albidus* ssp. *peramoenus*) are most commonly associated with serpentine soils. Two species (Ben Lomond buckwheat [*Eriogonum nudum* var. *decurrens*], robust monardella [*Monardella villosa* ssp. *globosa*]) are most commonly associated with chaparral habitat and two others (hairless popcorn flower [*Plagiobothrys glaber*], caper-fruited tripidocarpum [*Tripidocarpum capparideum*]) are most commonly associated with alkaline soils. The remaining three species (Santa Cruz manzanita [*Arctostaphylos andersonii*], robust Spineflower [*Chorizanthe robusta* var. *robusta*], and Western leatherwood [*Dirca occidentalis*]) are found in broadleaf upland forests (openings) and cismontane woodlands. Of these species Santa Cruz manzanita and robust spineflower are more specifically found in habitats not present on the project site, such as north-coast coniferous forests, chaparral, closed cone pine forests, and coastal dune and scrub. Western leatherwood is the exception and has historically been found in habitat similar to that found on the site. No new occurrences of this species have been recorded in Santa Clara County and the surrounding region for over 20 years, but there is still a low potential for it to occur on the project site. As the project site does not contain serpentine or alkali soils and the specific habitat (such as chaparral and broadleaf upland trees) typically required by most of the other species, they are deemed absent on this site.

The CNDDDB documents occurrences of the caper-fruited tripidocarpum, the robust spineflower, and the hairless popcorn flower within two-miles of the site; however, the occurrence of these species was last documented in 1907, 1888, and 1894, respectively. More recently, the most-beautiful jeweflower and the Loma prieta hoita were found approximately 3.5 miles south of the site. The Santa Clara Valley dudleya, fragrant fritillary, and smooth lessingia were found approximately 6 miles southeast of the site; however, such occurrence was located in areas of serpentine soils, which do not exist at the site.

Special Status Wildlife

A total of 11 special-status wildlife species have been documented in the CNDDDB for the four quadrangles containing and adjacent to the project site. Based on results of the CNDDDB search and the field reconnaissance survey, eight special-status wildlife species have potential to occur on or adjacent to the project site: California tiger salamander (*Ambystoma californiense*), white-tailed kite (*Elanus leucurus*), Cooper's hawk (*Accipiter cooperii*), burrowing owl (*Athene cunicularia*), western pond turtle (*Emys marmorata*), California red-legged frog (*Rana aurora draytonii*), pallid bat (*Antrozous pallidus*), and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*). Of the eight special-status wildlife species that have the potential to occur on the RWTP, two (California tiger salamander and California red-legged frog) are unlikely to occur on the project site. Although the lower sludge drying basins provide aquatic habitat, it is of relatively low quality for these species. In addition, Smith Creek, located adjacent to the Plant, is not expected to provide habitat suitable to support either species. There is limited potential for the creek to serve as a dispersal route for red-legged frogs and there is more suitable habitat provided by other drainages in the upper reaches of this watershed. In addition to the marginality of aquatic habitat for tiger salamander and red-legged frog, upland habitat on and adjacent to the project site is limited and of marginal quality due to scarcity of rodent burrows, logs, rock crevices, and other features that provide cover and aestivation sites. Therefore, California tiger salamander and California red-legged frog are unlikely to occur on the project site.

Aquatic habitat provided by the lower sludge drying basins near Smith Creek is suitable for western pond turtle, and an individual was observed in one of the basins by a District biologist in 1999 (SCVWD 2005). The upper sludge drying basins and washwater recovery basins do not provide suitable habitat for the western pond turtle due to daily water treatment processing and the shallow, unvegetated nature of these basins. Currently, there is low potential for burrowing owls to occur at the Plant, and is unlikely within the proposed project site because grassland areas there are limited and within mixed woodlands. The other two special-status raptors, white-tailed kite and Cooper's hawk, could nest in trees on and adjacent to the project site. Pallid bat may forage over the project site but is unlikely to roost onsite due to limited habitat and high disturbance levels. The San Francisco dusky-footed woodrat has been documented on the Plant site with at least 85 nests found throughout the vegetated portions of the Plant and woodrats observed on at least three occasions. At least six woodrat nests were found within the Residuals Management project site, all of which are well-established twig lodges 3-5 feet tall and 3-5 feet in diameter with multiple entrances and active latrines.

Sensitive Habitat

Sensitive habitats are defined as any area in which plant or animal life or their habitats are either rare or especially valuable and are habitats containing or supporting "rare and endangered" species as defined by the State Department of Fish and Wildlife. Sensitive natural habitat may be of special concern to regulatory agencies and conservation organizations for a variety of reasons, including their locally or regionally declining status, or because they provide important habitat to common and special-status species. Many of these communities are

tracked in the CNDDDB. Oak woodlands at the Plant would be considered sensitive habitat. There is no natural wetland on the project site. One of the developed lower sludge drying basins currently supports freshwater marsh vegetation; however, the basins are supported solely from an artificial water source (from the water treatment facility) with no hydrological connection to natural waterways and are not considered a sensitive habitat.

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✓		
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓		
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		
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?				✓

Discussion

Impact Bio-1 Substantial Adverse Effect on any Species identified as a candidate, sensitive, or Special-Status Species on local or Regional Plans, Policies, or Regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (Less than Significant with Mitigation)

The road construction would result in the disturbance and habitat disruption of San Francisco dusky-footed woodrat nests, a species of concern by CDFW. Also, trees and understory vegetation on and adjacent to the project site may support nests of a variety of birds, including special-status species and common species that are protected under the Federal Migratory Bird Treaty Act⁵ and Section 3513 of the CDFW Code. During installation of duct bank and conduit, and the roadway, the potential exists for nesting birds to directly lose nests through the removal of trees. The potential also exists for ground-nesting killdeer to lose nests through equipment

⁵ 16 USC, Sec. 703 Supp. I, 1989

use and storage in the proposed staging area. Additionally, construction-related noise, dust, and vibration could disrupt nesting behavior and young rearing of adjacent nests and potentially lead to reduced nest success and/or abandonment. Loss of active nests would be considered a significant impact. Therefore, implementation of measures to minimize potential for such loss would be required. Impacts to nesting birds would be less than significant with the implementation of the nesting migratory bird BMP and incorporation of Mitigation Measure BIO-1.2 discussed below.

The likelihood of occurrence of the special-status plants and other special-status wildlife that could occur in the vicinity of the proposed project is very low; however, to ensure they are not present, a survey would be conducted before any ground breaking activities.

Mitigation Bio-1.1: Relocation of Woodrat Nests

- (1) Conduct a detailed survey before any ground breaking activities to identify all the woodrat nests that would be impacted by the new road and/or utility corridors.
- (2) Relocate the nest to a suitable location for woodrat activities.

Note: As described above, plant communities on the water treatment plant grounds consist of coast live oak and blue oak woodlands, scattered eucalyptus trees within native and mixed scrublands, which are suitable for the relocation and habitat preservation of the woodrat population

Mitigation Measure Bio-1.2: Establish Buffer Zones for Nesting Raptors and Migratory Birds

- (1) The removal of trees and shrubs will be minimized to the extent practicable.
- (2) Staging area size will be minimized to the extent practicable, and staging area access will be limited to a clearly demarcated path.
- (3) In the event that an active nest of a protected bird species is discovered in the construction area, or in adjacent areas considered to have the potential to be disturbed by construction, a protective buffer zone will be established around the nest as follows:
 - A 20-foot radius buffer zone will be established around the nest of any non-raptor ground-nesting bird.
 - A 50-foot radius buffer zone will be established around any non-raptor nests in shrubs, trees, on structures, or on equipment.
 - A 250-foot radius buffer zone will be established for hawks, owls, herons, and egrets.

These buffer zones may be adjusted, depending on the type of project activity, the species of bird nesting, whether the nest would have a direct line of sight to construction activities, local topography and vegetation, and the existing noise and human disturbance levels. No construction activity of any kind will be permitted in the buffer zone until a qualified biologist determines that the young have fledged or otherwise abandoned the nest.

Impact BIO-2: Substantial Adverse Effect on any Riparian Habitat or Other Sensitive Natural Community identified in Local Regional Plans, Policies, or Regulations or By CDFW or USFWS (No Impact).

As discussed above, the project site is limited to coast live oak and blue oak woodlands, scattered eucalyptus trees within native and mixed scrublands. The project location does not

contain riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by CDFW or USFWS. There are no sensitive communities located within the project area.

Impact BIO-3: Substantial Adverse Effect on Federally Protected Wetlands as Defined by Section 404 of the Clean Water Act through Direct Removal, Filling, Hydrological Interruption, or Other means (No Impact)

Federally protected wetlands, as defined by Section 404 of the CWA, are not present in the project area and as such, no impacts would occur.

Impact BIO-4: Interfere with the Movement of any Native Resident or Migratory Wildlife species or with Established Native Resident or Migratory Wildlife Corridors, or Impede the Use of Native Wildlife Nursery Sites (Less than Significant with Mitigation)

The project is located in a predominantly mixed oak woodland and scrubland that does not provide a wildlife corridor for most native resident or migratory wildlife species. However, as described above migratory birds and woodrat nests could be present in the project footprint. Construction activities would occur within the breeding bird season (February 1st through August 31st), and therefore construction noise and removal of trees could negatively impact potential breeding or migratory birds in the project vicinity. Disturbance of nesting birds would represent a temporary but significant impact. Impacts to migratory birds would be reduced to less than significant levels with the implementation of the District's nesting migratory bird BMP, as well as Mitigation Measure BIO 1-2.

Impact BIO-5: Conflict with any local Policies or Ordinances Protecting Biological Resources, such as Tree Preservation Policy or Ordinance (Less than Significant with Mitigation)

Trenching and installation of duct bank and conduit, and roadway construction through vegetated areas would result in the removal of trees, many of which may be defined by the Town of Los Gatos Tree Protection Ordinance⁶ as protected. The exact number of trees affected by infrastructure and roadway construction activities would be dependent on final design of the project. Trees that may be impacted by the proposed project are listed by tree numbers and shown on the spreadsheet and figure in **Appendix B**. Given the narrow corridor of disturbance needed to trench and install duct bank and conduit (i.e., a 3 feet wide by 4 to 8-foot + deep trench), the area of impact is anticipated to be minimal. Removal of several trees within the existing hillside area of the new roadway would be required. Removal of trees designated for protection by the local tree ordinance would be considered a significant impact. In addition, trenching activities could inadvertently damage trees not designated for removal, by directly cutting or injuring roots, compacting the soil and reducing the tree's ability to take up water, and/or compromising the tree's structural integrity. Injuries to limbs or trunk can alter a tree's ability to transport water and nutrients. Injuries or damage to protected trees would also be considered significant impacts.

Implementation of Mitigation Measures Bio-5 would reduce the potential for removal of trees to the minimum extent practicable. In the event that tree removal is required, tree replacement would be performed consistent with Town of Los Gatos standards. With this mitigation measure in place, impacts to protected trees would be considered less than significant. Protected trees will be defined according to the Scope of Protected Trees identified in the Town of Los Gatos tree protection ordinance (Sec. 29.10.0960).

⁶ Section 29.10.0950 of the Town of Los Gatos Zoning Ordinance

Mitigation Measure Bio-5: Reduce Impact to protected Trees

- (1) Prior to the start of construction, a qualified arborist will prepare a Tree Survey Plan of the impact area to determine which trees could be affected by construction. The tree survey will include the trunk diameter (measured at 3 feet above natural grade), height, canopy spread, species, condition, and location of all protected trees which may be directly or indirectly impacted by the project. The tree survey will specify which trees will be retained and protected, and which trees will be removed and replaced.
- (2) For those trees that can be avoided by project activities, a Tree Protection Zone (TPZ) will be established around the tree(s). The TPZ will be defined according to the International Society of Arboriculture recommendations or, if greater, as a distance equal to ten times the diameter of the trunk as measured at 3 feet above natural grade. The TPZ will be marked with brightly colored exclusion fencing, and this fencing will remain in place for the duration of project activities. Construction personnel will be prohibited from entering the TPZ for the duration of project construction. Construction activities, vehicle operation, material and equipment storage, and other surface-disturbing activities will be prohibited within the TPZ.
- (3) For those trees that cannot be avoided by project activities, a certified arborist will monitor construction in the TPZ. Tasks of the arborist will include, but not be limited to: pruning trees in accordance with the pruning guidelines of the International Society of Arboriculture prior to construction to improve tree structure and allow access without damage to branches; supervise excavation to limit damage to tree roots; and cutting tree roots as necessary to avoid impacts to standing trees.
- (4) The District will compensate for trees that are removed as a result of project activities according to applicable replacement standards of Town of Los Gatos tree ordinance (Sec. 29.10.0985).

Impact 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)

The project area is not covered by any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project will not conflict with provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans.

Cultural Resources

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				✓
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			✓	
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Discussion

Impact CR-1: Substantial Adverse Change in the Significance of a Historical Resource as defined in Section 15064 (No Impact)

No architectural resources meeting the criteria for listing in the California Register of Historical Resources (CRHR) or the National Registry of Historic Places (NRHP) are present on the project site; therefore, there would be no impact.

Impact CR-2: Substantial Adverse change in the Significance of an Archeological Resource Pursuant to Section 15064.5 (Less than significant impact)

A cultural resource evaluation of the Plant was conducted in 2002 by Archaeological Resource Management. The evaluation consisted of an archival search, a surface reconnaissance, and an evaluation of the potential significance of the properties according to guidelines of the California Register of Historic Resources. The archival research did not identify any recorded archaeological sites within the project area, nor within one-half mile of the Plant (ARM 2002). During field reconnaissance surveys, the project area was identified as highly disturbed by construction of the existing Plant; no prehistoric or historic cultural resources were noted.

Based on previous geotechnical reports prepared for the Plant (Fugro West, Inc. 2002, and Harza 2000), the project site is underlain by 20 to 55 feet of undocumented fills placed during initial site grading between 1965 and 1968. Beneath the fill, the site is underlain by Santa Clara Formation. There is evidence that Santa Clara Formation may contain animal and plant fossils (Adam et al. 1983). Based on a record search of U.C. Berkeley Museum of Paleontology files (UCMP 2011), there are no previously recorded fossil sites at the project site.

There is no surficial or archival data to suggest the presence of archaeological resources. Construction of the project would result in ground-disturbing activities including grading and excavation. However, ground-disturbing activities would be confined in depth and extent to areas comprised entirely of fill material placed in the 1960's. Given the disturbed nature of fill material, the presence of undocumented historical resources is considered unlikely; therefore impact to archeological resources would be less than significant with the application of appropriate BMPs.

Nevertheless, should unidentified resources be encountered, the project would comply with all applicable federal, state, and local requirements, including District BMPs for archaeological and burial finds. Implementation of archaeological and burial finds BMPs would require the contractor to halt work immediately and notify a consulting archaeologist in the event that archaeological artifacts are encountered and to notify the County Coroner if any burial site is found during construction. With these measures in place, impacts on undocumented archaeological resources are expected to be less than significant; thus no mitigation is required.

Impact CR-3: Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature? (No Impact)

There are no unique paleontological resources or geologic feature associated with the site; therefore, there would be no impact

Impact CR-4: Disturb any Human Remains, including those interred outside of formal cemeteries (Less than significant impact)

There is no surficial or archival data to suggest the presence of human remains. As discussed above, ground-disturbing activities would be confined in depth and extent to areas comprised entirely of fill material placed in the 1960's; therefore, impact to humans remains is expected to be less than significant with the application of appropriate BMPs.

Geology and Soils

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault			✓	
2) Substantial adverse effects including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction or collapse?			✓	
3) Substantial adverse effects including the risk of loss, injury, or death involving Landslides?			✓	
4) Result in substantial soil erosion or the loss of topsoil?			✓	
5) 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, or be located on expansive soil?			✓	
6) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

Discussion

Impact GEO-1: Substantial Adverse Effects Including the Risk of loss, Injury, or Death Involving Rupture of a known Earthquake Fault (Less than Significant)

The nearest active faults to the project site are the Monte Vista-Shannon and San Andreas faults, which are approximately 0.3 mile and 4 miles from the project site, respectively (Harza 2000). Although active faults are located within the vicinity of the project site, the Plant is not located on mapped fault traces or fault zones designated in the Alquist-Priolo Earthquake Fault Zoning map (CDC 2011). Fault rupture is not necessarily restricted to areas located within an Alquist-Priolo Earthquake Fault Zone, but the potential for rupture to occur at the project site is considered very low. As such, the potential to expose people or structures to potential adverse

effects, including the risk of loss, injury, or death involving fault rupture is considered less than significant. No mitigation is required.

Impact GEO-2: Substantial Adverse Effects Including the Risk of Loss, Injury, or Death Involving Strong Seismic Ground Shaking or Seismic-Related Ground Failure, Including Liquefaction or Collapse (Less than Significant).

The project site is likely to experience strong ground shaking during the lifespan of the project. The project would be designed and constructed to comply with all applicable federal, state, and local requirements, including District seismic design criteria. Compliance with California Building Code seismic standards would ensure that the level of risk associated with exposure of people or structures to potential adverse effects, including the risk of loss, injury, or death from ground shaking would be acceptable. As such, potential effects are considered less than significant.

Based on a geotechnical investigation prepared for the site (Harza 2000), the near-surface soils encountered at the site are generally silty clays and relatively dense sands. In addition, ground water was not encountered in any of the borings drilled at the site; therefore, the liquefaction potential on-site is considered to be low and the potential to expose people to adverse effects involving liquefaction is considered less than significant.

Impact GEO-3: Substantial Adverse Effects Including the Risk of loss, Injury, or Death Involving landslides (Less than Significant)

Proposed facilities would be located primarily within topographically flat portions of the Plant. Based on previous geotechnical investigations, no landslide hazards were identified for the proposed facilities (Woodward-Clyde Consultants 1994 and Fugro West 2002). Impacts associated with seismically-induced land sliding are considered less than significant.

Impact GEO-4: Substantial Soil Erosion or the Loss of Topsoil (Less than Significant)

Construction activities such as excavation and grading would expose soils to wind and water erosion forces. However, the District would conduct all construction activities in accordance with District BMPs which contain standard operation procedures and practices used to reduce erosion. In addition, measures to control post-construction erosion will be specified in the required Storm Water Pollution Prevention Plan (SWPPP) for the project (see discussion of water quality impacts in the *Hydrology and Water Quality* section). Incorporation of Best Management Practices and implementation of the SWPPP would reduce the potential for soil erosion or loss of topsoil to less than significant levels.

Impact GEO-5: 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, or be Located on Expansive Soil (Less than Significant)

The proposed project would be constructed according to industry standard geotechnical practices which typically include measures that mitigate the potential damage from unstable or expansive soils. As mentioned above, the project site is relatively flat and not susceptible to seismic, landslide, or liquefaction concerns. However, geotechnical reports prepared for the Plant indicate the project site is underlain by undocumented fill (Fugro West, Inc. 2002, and Harza 2000). Undocumented fill could be sufficiently unstable or expansive to potentially damage project concrete features, which would be considered a significant impact.

Proposed structures on the site will be designed and constructed in accordance with design-level geotechnical investigations prepared for the project and reviewed by the District prior to

approval of the final plans and specifications. The geotechnical investigations will identify the specific design features that will be required for the project, including site preparation, compaction, trench excavations, foundation design, drainage, and pavement design. With implementation of recommendations in the design-level geotechnical reports, the project would not expose people or property to significant impacts associated with geologic conditions on-site.

Impact GEO-6: Have Soils Incapable of Adequately Supporting the Use of Septic Tanks or Alternative Wastewater Disposal Systems (No Impact)

No septic tanks or alternative wastewater systems are proposed for the project.

Hazards and Hazardous Materials

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Create a significant hazard to the public or the environment through the routine transport, use, storage or disposal of hazardous materials?			✓	
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?			✓	
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?			✓	
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
5) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
6) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
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?			✓	

Discussion

Impact HAZ-1 and HAZ-2: Create a significant Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials, or through Reasonably Foreseeable Upset and Accident Conditions (Less than Significant)

Construction

During construction, some limited quantities of hazardous materials such as fuels, oils, hydraulic fluids, adhesives and other substances would be used at the project site. However, District would implement BMPs described in Table 2-1 to prevent any of these hazardous materials from being released to the public or environment through routine transport, use, and disposal. These BMPs are District standard operation procedures used to reduce potential impacts on the public and the environment. The District BMPs employed at the project site during construction would minimize the potential for accidental spills and provide measures to contain them if they do occur. Additionally, the implementation of BMPs identified in the Storm Water Pollution Prevention Plan (SWPPP) (see *Hydrology and Water Quality* section) would contain similar measures to prevent any accidental spills of hazardous materials from construction equipment. Therefore, the potential impact from construction activities is considered less than significant.

Operation

Operation of the proposed facilities would require the use of hazardous materials such as anionic or nonionic emulsion polymer, lubrication oils, and grease. Gravity thickener mechanisms, centrifuges, and screw conveyor systems would use minimal amounts of lubrication oils and grease as specified by the manufacturer. These amounts are expected to be minimal and would not appreciably differ from quantities used for the existing belt-press hydraulic systems and belt conveyor systems (S. Boettcher, personal communication).

New polymer systems would be provided to replace the existing systems. Improvements to existing facilities include the following:

- The 3,000-gallon bulk polymer storage tank and associated mixer and transfer pump would be demolished and not replaced;
- The clarifier underflow polymer storage and feed system in the Control Building would be demolished and replaced by one of the new polymer systems planned for the centrifuge building;
- The two polymer mix/feed tanks and associated mixers and valves would be replaced with comparable tanks and equipment inside the centrifuge building;
- The three polymer feed pumps and associated flow meters would be replaced with comparable equipment inside the centrifuge building..

Operation of the new polymer systems would not be expected to increase or otherwise change the use of anionic or nonionic emulsion polymer.

Routine transport, use, storage, and disposal of the polymer, oils, and grease would comply with the existing Hazardous Materials Business Plan for the Plant (District 2011). Since the hazardous materials would be stored, handled, and used normally in accordance with strict requirements, they are not expected to result in an increased risk of upset at or around the Plant. However, accidental releases of hazardous materials, although not expected, could occur. As required by numerous federal, state, and local regulations, safety features including secondary containment, leak detection, and alarm systems would be incorporated into project

design. Also, following any accidental event, proper procedures for the response and cleanup of the site would be conducted in accordance with regulatory guidelines, District BMPs, and the HMBP for the Plant. Therefore, the potential to create a significant hazard to the public from exposure to hazardous materials would be considered less than significant.

Impact HAZ-3: Emit Hazardous Emissions or Involve Handling Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an existing School (Less than Significant)

There are no existing or proposed schools within a quarter mile of the project site. The Rolling Hills Middle School (1585 More Avenue) is located approximately 0.5 mile north of the Plant. The school is located on the designated haul route for deliveries, including deliveries of hazardous materials for the proposed residuals management operations. As discussed above, existing residuals management operations use polymer, lubrication oils, and grease. The proposed project would not increase the use of these materials. Efficiencies in new equipment may even reduce the quantities of polymer, oils, and grease needed for residuals management. Similar to existing chemicals that are delivered to the Plant, polymer, oils, and grease must be handled according to standards of federal and state Occupational Safety and Health Administrations, U.S. Department of Transportation, and other hazardous material agencies' requirements. Since the project would not change existing practices for hazardous material delivery and since the Plant is operated more than a quarter mile from a school, the impact is considered less than significant.

Impact HAZ-4: Be Located on Site that is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code Section 65962.5 (No Impact)

The project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore would have no impact on the public or environment (SWRCB 2011 and DTSC 2011).

Impact HAZ-5: Be Located within an Airport Land Use Plan Area or within two Miles of a Public Airport or Public Use Airport and Result in a Safety Hazard for People Residing or Working in the Project area (No Impact)

The project sites are not located within an airport land use plan area or within two miles of an airport, and therefore would not result in a safety hazard for people residing or working in the project area.

Impact HAZ-6 and HAZ-7: Be Located within the vicinity of a Private Airstrip and Result in a Safety Hazard for People Residing or Working in the Project Area or Impair an Adopted Emergency Response Plan or Evacuation Plan (No Impact)

The project sites are not located within the vicinity of a private airstrip. In addition, construction and operation of the proposed project would not result in any change to any access roads and thus would not alter any evacuation routes or emergency response or action plans. Therefore, there would be no potential impacts related to emergency plans.

Impact HAZ-8: Expose People or Structures to a Significant Risk of Loss, Injury, or Death Involving Wildland Fires (Less than Significant)

The project site is located within a residential area that is relatively wooded though is not considered wildlands. The project area does not lie within a fire hazard zone (Los Gatos 2011),

and the potential risk of wildland fires is considered low. The potential impact from wildland fires is therefore less than significant.

Hydrology and Water Quality

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Violate any water quality standards or waste discharge requirements?			✓	
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 ground water table level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
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 which would result in substantial erosion or siltation on- or off-site?			✓	
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.			✓	
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			✓	
6) Otherwise substantially degrade water quality?			✓	
7) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
8) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?				✓
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?				✓
10) Inundation by seiche, tsunami, or mudflow?				✓

Discussion

Impact HYDRO-1: Violate Any Water Quality Standards or Waste Discharge Requirements (Less than Significant)

Activities required to construct the project, including site clearing, excavation, grading, fill placement and stockpiling, would have the potential to expose site soils to erosion and mobilize sediments in stormwater. Additionally, hazardous materials such as fuels, oils, grease, and lubricants from construction equipment could be accidentally released during construction. Accidental discharge of these materials could adversely affect water quality and/or result in violation of water quality standards. Construction projects that disturb 1 acre of land or more are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The District would prepare a Storm Water Pollution Prevention Plan (SWPPP) in compliance with Section 402 of the federal Clean Water Act⁷ and would file a Notice of Intent with the State Water Resources Control Board (SWRCB) to obtain coverage under the SWRCB NPDES General Construction Permit (Order 99-08-DWQ). The SWPPP would include provisions to control erosion and sedimentation, as well as spill prevention measures to avoid and, if necessary, clean up accidental releases of hazardous materials. With the SWPPP in place, impacts related to degradation of water quality during construction would be less than significant.

Furthermore, the project would be designed and constructed to comply with all applicable federal, state, and local requirements, including applicable provisions of the Municipal Regional Stormwater NPDES Permit.⁸ The District is a co-permittee of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) and, as such, is subject to the NPDES Municipal Permit for discharges of stormwater to the South San Francisco Bay. The SCVURPPP is regulated by the RWQCB under Order R2-2009-0074.

The proposed project is located within a sub-watershed that is less than 65 percent impervious (SCVURPPP 2009). Hydro-modification Management Requirements could apply to the project if it created or replaced more than one acre of impervious area. The project area would create less than an acre of impervious area and, as such, would not be subject to Hydro-modification Plan requirements. The project, however, would replace more than 10,000 square feet of impervious area and must implement applicable design, control, and engineered treatment measures. Compliance with NPDES Municipal Permit standards and implementation of applicable SCVURPPP measures would ensure the project would not result in significant water quality impacts post-construction.

Implementation of the proposed residuals management operations would result in the continued storage and use of hazardous materials (see *Hazards and Hazardous Materials* section). Additionally, the proposed residuals management process would continue to handle and dispose dewatered solids. Discharge of hazardous materials or solids to local waterways would degrade water quality in violation of water quality standards. However, the project would be designed to prevent contact of hazardous materials and solids with stormwater runoff or other water discharged from the site.

Hazardous materials and the equipment would be housed inside the centrifuge building. Likewise, solids extracted from the centrifuges would remain covered until they reach the haul trucks for off-site disposal. Solids spilled in the loading area would be prevented from entering waterways by recovering them and sending them to the centrate wet well for recycling into the

⁷ Clean Water Act, Section 402

⁸ Municipal Regional Stormwater NPDES Permit, NPDES Permit No. CAS612008, October 14, 2009

lower sludge drying basins or gravity thickeners. With these design features in place, and the implementation of appropriate BMPs in Table 2-1, operation of the residuals management process would not violate any water quality standards or waste discharge requirements.

Impact HYDRO-2: Substantially Deplete Groundwater Supplies or Interfere Substantially with Groundwater Recharge (No Impact)

The proposed project would not use any groundwater supplies as a water source, reduce groundwater infiltration, or otherwise interfere with groundwater recharge. Therefore, there would be no impact to groundwater supplies.

Impact HYDRO-3 Through HYDRO-6: Cause Alterations in Drainage Contributing to Increased Erosion, Siltation, Flooding, or Excess Runoff or Otherwise Substantially Degrade Water Quality (Less than Significant)

Surface runoff is presently captured via underground drain systems and a man-made concrete ditch. The concrete ditch originates east of the washwater recovery basins and drains to the north, parallel to the washwater recovery basins and upper sludge drying basins, until it reaches two 36-inch buried storm drains near the northeast corner of the property. Runoff entering the storm drains is discharged into Smith Creek, which joins San Tomas Aquino Creek about 1.5 miles north of the site. San Tomas Aquino Creek ultimately discharges to South San Francisco Bay via the Guadalupe Slough.

The project would be constructed in a developed area of the Plant and would not convert significant vegetated pervious ground surface to impervious surfaces. However, while the proposed project would not increase impervious surfaces significantly, site drainage patterns would be altered by taking out of service 2 sludge drying basins and installing approximately 35,500 square feet of impervious surfaces (i.e., parking spaces, roadway, walkways, and new building rooftops). Although the sludge drying basins are also impervious features that prevent runoff from infiltrating into soils, they do prevent captured precipitation from entering the storm drain system.

The project would realign storm drains around the dewatering building and washwater recovery basins, but as indicated by the project site plan, the general drainage patterns would be preserved. When compared to the existing Plant, an increase of 35,500 square feet of impervious surfaces would represent an increase of two percent of the total area that would contribute to site runoff. A two percent increase in impervious surfaces would not result in a substantial increase in the rate or amount of surface runoff from the Plant; therefore, on- or off-site flooding would not be anticipated.

As discussed above, construction of the proposed residual management facilities would have the potential to expose site soils to erosion and mobilize sediments in stormwater. However, with the SWPPP in place, on-and off-site erosion and siltation impacts related to construction would be less than significant.

Furthermore, the District would implement applicable design, control, and engineered treatment measures in compliance with Municipal Regional Stormwater NPDES Permit standards. Compliance with NPDES Permit standards and implementation of applicable design, control, and engineered treatment SCVURPPP measures would ensure the project would not result in significant flooding, erosion, or siltation impacts post-construction.

Other than the construction and operation-related water quality impacts discussed above, there would be no substantial additional sources of polluted runoff; therefore, potential impacts of the proposed project, with respect to additional polluted runoff, are considered less than significant.

Impact HYD-7: Place Housing within a 100-Year Flood Hazard Area (No Impact)

Runoff from the additional impervious surface created by the project would not place surrounding homes within a 100-year Flood hazard. The project is located in a 500-year flood plain (Los Gatos 2011) and there is no risk for flood hazard area as concluded on the FEMA map for the area (FEMA 2009).

Impact HYD-8: Place within a 100-Year Flood Hazard Area Structures that would Impede or Redirect Flood Flows (No Impact)

The proposed project is located in a 500-year flood plain area as described above. No new structure is proposed that would impede flood flows; therefore, the project would have no impact with respect to impeding flood flows.

Impact HYD-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 Levee or Dam (No Impact)

The proposed project is not located within an area that is potentially subject to flooding and would not expose people or structures to a significant risk due to flooding from storms, levees, or dams; therefore, there would be no impact.

Impact HYD-10: Contribute to Inundation by Seiche, Tsunami, or Mudflow (No Impact)

The proposed project would not expose people or structures to a significant risk due to seiche, tsunami, or mudflow because the site is not located within a flood zone.

Land Use and Planning

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Physically divide an established community?				✓
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
3) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				✓

Discussion

Impact LU-1: Physically Divide an Established Community (No Impact)

The proposed project consists of upgrading existing structures of an existing Plant that has been in operation since 1968. The proposed facilities would not alter the physical arrangement of surrounding neighborhoods and would not constitute a physical barrier to established or contemplated communities. Thus, implementation of the proposed project would not result in the division of an established community.

Impact LU-2: Conflict with any Applicable Land Use Plan, Policy, or Regulation of an Agency with Jurisdiction over the Project (Less than Significant)

The District is not subject to the land use and zoning designations of local jurisdictions for projects involving public utility uses such as production, generation, storage, treatment, or transmission of water.⁹ It is, however, the practice of the District to work with the local jurisdiction during project planning and to conform to local land use plans and policies to the extent possible.

The project would be implemented within the existing water Plant, in a manner consistent with the existing character of the Plant. In addition, project implementation would not introduce any land uses that are significantly different from existing uses. Based on consistency with District environmental policies and the lack of development associated with the project, land use impacts are considered less than significant.

Impact LU-3: Conflict with any Applicable Habitat Conservation Plan or Natural Community Conservation Plan (No Impact)

The project site is not located within an area covered by an adopted habitat conservation plan or natural community conservation plan.

Mineral Resources

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

⁹ California Government Code Section 53091(d) and (e).

Discussion

Impact MR-1 and MR-2: Result in the Loss of Availability of a Known Mineral Resources or Locally Important Mineral Resource Recovery Site (No Impact)

There are no mineral resources identified by the State of California Resources Agency Department of Conservation at the project site (Stinson et al., 1983). The project site is located in an urban area, surrounded by residential development, and is unsuitable for mineral extraction.

Noise

Existing Conditions

The existing noise environment in the project area is dominated by noise from activities at the RWTP, noise from vehicular traffic on surrounding roadways, and typical residential neighborhood noise. Noise-sensitive land uses typically include residences, schools, libraries, hospitals, and other similar uses that are considered sensitive to noise. The predominant noise-sensitive land uses in the project area are residences. In addition, Rolling Hills Middle School is located approximately 0.5 mile from RWTP on More Avenue at Pollard Road.

Regulatory Setting

Town of Los Gatos General Plan Noise Element

The town of Los Gatos General Plan Noise Element indicates that the major noise sources in Los Gatos are traffic-generated, particularly along SR-17 and SR 85. No major stationary noise sources are located within the town of Los Gatos' jurisdiction. The goal of the noise element include preserving the quiet atmosphere of the town, ensuring that noise from new development and new land uses do not adversely affect existing land uses, and ensuring that proposed development is not adversely affected by existing noise. Construction noise related policies and implementing actions of the noise element focus on protecting residential areas from noise by requiring the use of noise attenuating construction techniques and materials, and maintaining a noise-reducing restrictions for industrial uses adjacent to residential districts.

Town of Los Gatos Municipal Code

Noise standards in Los Gatos are defined in the municipal code. Los Gatos Municipal Code Section 16.20.035 states that construction activities are allowed between 8 a.m. and 8 p.m. on weekdays, and between 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays, and Holidays if they meet at least one of the following noise limitations:

- No individual piece of equipment shall produce a noise level exceeding 85 dBA at 25 feet. If the device is located within a structure on the property, the measurement shall be made at distance as close to 25 feet from the device possible.
- The noise level at any point outside of the property shall not exceed 85 dBA. Compliance with the quantitative standards as listed in the Municipal Code shall constitute elimination of a noise disturbance and would be considered a less than significant impact.

Would the project result in:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 standards of other agencies?			✓	
2) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			✓	
3) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Discussion

Construction

Impact NOI-1: Expose Persons to or Generate Noise Levels in Excess of Standards Established in a Local General Plan or Noise Ordinance or Applicable Standards of other Agencies (Less than Significant)

Temporary increases in ambient noise levels would occur during construction of the project. The project would require the use of heavy equipment, typically including a backhoe, excavator, loader, concrete delivery, pumping and hauling trucks, mobile crane, and compactor. Construction equipment noise varies greatly depending on the construction activity performed, type and specific model of equipment, condition of equipment used, and layout of the construction site.

The noise impact assessment for short-term construction noise is based on an estimate of the type of construction equipment used; typical noise emission levels for each category of equipment (shown in **Table 4-4**); and estimates of noise attenuation as a function of distance from the noise source, assuming that construction noise is reduced by 6 dB for each doubling of distance as described below..

Noise generated by peak construction was estimated using the Federal Transit Administration (FTA) sound propagation method for construction noise sources (FTA 2006). Noise levels were

calculated assuming continuous operation of the three loudest pieces of equipment (i.e., loader, concrete mixer, and truck) for a 1-hour period. In reality, construction activities would likely be intermittent, so actual noise levels could be somewhat lower than the estimated values.

Table 4-4 Typical Construction Equipment Noise Levels	
Construction Equipment	Typical Noise Level 50 feet from Source (dBA Leq)^a
Backhoe	80
Loader	85
Compactor	82
Mobile crane	83
Dozer	85
Concrete pump	82
Concrete mixer	85
Roller	74
Saw	76
Truck	88
SOURCE: U.S. Department of Transportation, Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment</i> , May 2006.	
^a Leq refers to equivalent continuous sound level	

Noise levels decrease with increasing distance from the noise source; the FTA modeling methodology assumes a geometric attenuation rate of 6 dB per doubling of distance and from ground absorption. However, any shielding effects that may result from local barriers such as topography and vegetation are not incorporated, so the modeled noise levels represent a conservative or “worst case” estimation.

Construction could be extended from 8 am to 8 pm a few days on weekdays consistent with the Town of Los Gatos noise standards. Some work could also take place on Saturdays between 9 am and 7 pm, if necessary, to expedite the construction process. Extending weekday or Saturday hours and working on legal holidays would require approval by the Town of Los Gatos. The arrival and departure of trucks hauling material will be limited to the hours of construction (see *Transportation/Traffic* section).

Noise sensitive land uses at the project site include single-family homes adjacent to the Plant. The distance between the nearest homes and the construction work area is approximately 300 feet. As shown in **Table 4-5**, the exterior noise level at the nearest homes during construction could be 73 dBA. At 73 dBA L_{eq} , the estimated construction noise level at the nearest homes would be less than the applicable construction noise limit (85 dBA); therefore, impacts related to exceedance of the applicable construction noise threshold are considered less than significant. In addition, implementation of appropriate BMPs would further reduce this impact.

Table 4-5 Estimated Construction Noise Levels at Varying Distances	
Distance from Construction Site (feet)	Calculated L _{eq} (dBA)
50	88
100	82
200	76
300	73
400	70
600	64

Impact NOI-2: Expose persons to or Generate Excessive Ground Borne Vibration or Ground Borne Noise levels (Less than Significant)

Potential vibration-causing construction operations would occur from use of heavy equipment. Generally, the predominant vibration generating activities would be the result of impact activities such as concrete breaking or unloading of materials. While truck travel would occur with the proposed project, the rubber tires and suspension systems of trucks provide vibration isolation and it is unusual for trucks to cause ground-borne noise or vibration problems (FTA 2006).

Table 4-6 summarizes typical vibration levels generated by construction equipment that the project could use (FTA 2006).

Table 4-6 Typical Vibration Source Levels		
Construction Equipment	PPV at 25 feet (in/sec.)	Approximate VdB at 25 feet
Hoe ram	0.089	87
Loaded trucks	0.076	86
VdB: Vibration Decibels Source: Federal Transit Administration 2006.		

As indicated in **Table 4-6**, a hoe ram used to break apart concrete features at the site would represent the greatest potential for vibratory impacts with a peak particle velocity of 0.089 inch per second at a distance of 25 feet from the equipment. The nearest sensitive receptors would be more than 300 feet from the work area. At a distance of 300 feet, vibration generation of these sources would be substantially less than the criteria published by U.S. DOT of 0.2 inch per second peak particle velocity (PPV) for the protection of fragile buildings (FTA 2006). Consequently construction operations would not result in a significant vibration impact.

Impact NOI-3: Cause a Substantial Permanent Increase in Ambient Noise Levels in the Project Vicinity above Levels Existing without the Project (Less than Significant Impact)

Operation

After construction, proposed process improvements would be expected to reduce existing operational noise emanating from the site by eliminating the daily operation of the tractor for thickening and reducing the operation of the front-end loader for moving dewatered solids on-site. However, the project would introduce other new noise sources at the Plant including centrifuges, pumps, and a new conveyor system. Centrifuges and conveyors are anticipated to operate at an average of 85 dBA at the source (District 2011b). Typically, noise from the dewatering building (existing belt filter presses, pumps, and conveyors) has not been a neighborhood issue given the masonry construction and insulated roofing. Proposed construction would maintain or improve the sound protection afforded by the existing building by using concrete walls, acoustical louvers, and acoustical interior paneling. Noise from new equipment housed in the centrifuge building would not be expected to exceed the Town of Los Gatos noise criteria.

The project also includes several centrifuge feed pumps that would operate under an unenclosed canopy. Pumps operate at varying sound levels depending on type and manufacturer, and could operate at sound levels up to 85 dBA at the source. Centrifuge feed pumps would only operate during operation of the centrifuges, normally over an expected 10-hour period for three days at a time.

Although noise levels from operating pumps cannot be reasonably quantified at this stage of project development, given the effectiveness of industry standard noise attenuating features, the District anticipates the project can be designed to meet applicable standards and would not exceed the Town of Los Gatos noise standards. To reduce noise impacts due to operation, the District will require construction contractors to include the use of noise attenuating devices or shielding, and substitution of quieter equipment as defined by manufacturer specifications; therefore, the project would not expose people or property to substantial permanent increase in noise levels related to operation.

Impact NOI-4: Cause a Substantial Temporary or Periodic Increase in Ambient Noise levels in the Project Vicinity above Levels Existing without the project (Less than Significant with Mitigation)

Construction

The residential uses on the north side of the Plant along Granada Way would be the closest sensitive receptors and affected mostly by changes in noise levels. Results of long-term noise surveys in terms of the day-night sound levels (L_{dn})¹⁰ are 48 to 55 dBA across the Plant on Granada Way (Shor 2006).

Construction would occur during daytime hours (8 am to 5 pm, Monday through Friday) and residents could experience elevated noise levels during these hours. As indicated in **Table 4-5**, construction noise levels of up to 70 dBA could be expected on occasion during construction. However, with the implementation of appropriate BMPs and Mitigation Measure NOI-4, the

¹⁰ L_{dn} (Day-Night Sound Level) is the 24-hour L_{eq} with a 10 dBA “penalty” for the noise-sensitive hours between 10 pm and 6 am. The L_{dn} attempts to account for the fact that noise during this specific period of time is a potential source of disturbance with respect to normal sleeping hours.

project would not expose people or property to substantial temporary or periodic increase in noise levels.

Mitigation Measure NOI-4: Reduce Temporary Noise Impacts from Construction

To reduce noise impacts due to construction, the District will require construction contractors to adhere to the following measures. The District will be responsible for ensuring implementation.

- Stationary noise-generating equipment will be located as far as possible from sensitive receptors, and, if feasible, will be shielded by placement of other equipment or construction materials storage.
- Equipment shall have appropriate mufflers, intake silencers, and noise-control features and would be properly maintained and equipped with exhaust that meet state standards
- Vehicle and other gas- or diesel-powered equipment would be prohibited from unnecessary warming up, idling, and engine revving.

Impact NOI-5 and NOI-6: Be Located within an Airport Land Use Plan Area, or in the vicinity of a Private Airstrip, or within two Miles of a Public Airport or Public Use Airport and Expose people Residing or Working in the Project area to Excessive Noise Levels (No Impact)

There are no public airports or private airstrips within a two mile radius of the proposed project site and no noise related impacts relative to airports would result from the proposed project.

Population and Housing

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

Discussion

Impact POP-1: Induce Substantial Population Growth in an Area, either Directly or indirectly (No impact)

The project would involve the construction of improved facilities to continue operation of the Plant at the existing capacity. The project would not result in direct or indirect population growth in the area.

Impact POP-2 and POP-3: Displace a Substantial Number of Existing Housing Units or Numbers of People, Necessitating the Construction of Replacement Housing Elsewhere (No impact)

The proposed project would occur within the existing Plant boundary and would not displace any housing units or people. The project would have no impact on population and housing.

Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Fire protection?				✓
2) Police protection?				✓
3) Schools?				✓
4) Parks?				✓
5) Other public facilities?				✓

Discussion

Impact PS-1 Through PS-5: Result in Substantial Adverse Defects Associated with the Provision of or Need for New or Physically Altered Governmental Facilities for any of the Public Services: Fire Protection, Police Protection, Schools, Parks or other Public Facilities (No impact)

The project would not result in adverse impacts associated with public services. The project would have no impact on fire and police protection in the community. The proposed project would not result in a need for additional schools, parks, or other public facilities.

Recreation

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
2) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Discussion

Impact REC-1: Increase the Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities such that Substantial Physical Deterioration of the Facility would occur or be Accelerated (No Impact)

Increases in demand for recreational facilities are typically associated with substantial increases in population. As described in the *Population and Housing* section, the proposed project would not increase populations. The proposed project would not result in a substantial increased demand for recreational facilities or adversely affect Town of Los Gatos Park or population standards.

Impact 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)

The proposed project does not include any plans for the addition of any recreational facilities nor would it require the construction or expansion of recreational facilities.

Transportation/Traffic

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		✓		
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?				✓
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?				✓
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
5) Result in inadequate emergency access?			✓	

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

Setting

Two key components of the circulation network in Los Gatos are the regional highway and local street systems. Regional Highway access to the project area is provided by State Routes 17 and 85. Highway 17 runs north-south through the Town of Los Gatos, south to Santa Cruz and north to San Jose where it provides regional access to Highway 85 and Interstate 880. Highway 85 runs east-west through the Town of Los Gatos and provides regional access to Highway 101 in Mountain View as well as to south San Jose, Interstate 280, Interstate 880 and Highway 17. There are peripheral connections to Highway 87 from Highway 85, but not directly in the Town of Los Gatos. In the project area, More Avenue, Wedgewood Avenue, Montclair Road, and Quito Road are neighborhood collector streets that do not encourage through traffic.

The Town utilizes the levels of service (LOS) measurements established for Santa Clara County by the Valley Transportation Authority (VTA). LOS is a scale that measures the amount of auto traffic that a roadway or intersection accommodates, based on such factors as maneuverability, driver dissatisfaction and delay for intersections. LOS are best represented by a letter scale that ranges from LOS A to LOS F. Based on these measurements it is possible to determine the impact of auto traffic at intersections throughout the Town. According to the VTA Transportation Impact Analysis Guidelines, LOS D is an acceptable level of traffic operation at intersections in Los Gatos. Traffic movement on area streets is generally free-flowing, with few limitations on vehicle movement. Like many segments in residential areas of Los Gatos, traffic levels on area streets are at LOS A and B.

The truck routes through Los Gatos are on the following roadways:

- Highway 17
- Highway 85
- Los Gatos Boulevard Los Gatos – Saratoga Road (Highway 9)
- Winchester Boulevard
- Los Gatos – Almaden Road
- Blossom Hill Road
- Lark Avenue

The haul route suggested for this project would use the same haul route currently used for operational deliveries to and from the Plant. The proposed haul route would enter and exit the Plant site entrance from one or both entrances/exits off of More Avenue. The truck traffic leaving the Plant would take More Avenue to Pollard Road, and then onto Winchester Boulevard to Lark Avenue and onto Highway 17. Trucks would use the same route in reverse to make deliveries the RWTP. The existing LOS at the intersection of these connector streets is summarized in **Table 4-7**.

Table 4-7: Existing LOS at the Intersections of Highway 17 and Connector Streets in Project Area

			AM		PM	
Intersection	Existing Control	Town Criteria	LOS	Delay (Second)	LOS	Delay (Second)
Winchester/Knowles	Signal	D	C	28.9	D+	36.3
Winchester/Lark	Signal	D	C	24.2	C+	21.7
Lark/Hwy17-South Bound/Ramp-Garden Hill Drive	Signal	D	C	26.7	C	29.1
Lark/Hwy17-North Bound/Ramps-	Signal	D	B	17.4	D	39.4

Source: Final 2020 Los Gatos General Plan

LOS A: Free flow with no delays. Users are virtually unaffected by others in the traffic stream.

LOS B: Stable traffic. Traffic flows smoothly with few delays.

LOS C: Stable flow but the operation of individual users becomes affected by other vehicles. Modest delays.

LOS D: Approaching unstable flow. Operation of individual users becomes significantly affected by other vehicles. Delays may be more than one cycle during peak hours.

VTA has jurisdiction over public transit in the county. VTA currently operates two local bus routes in the vicinity of the project (VTA 2011a).

Pedestrian facilities in the project area consist of sidewalks, crosswalks, pedestrian signals and other pedestrian amenities. Sidewalks are provided on Winchester Boulevard, Lark Avenue, and all local access roads. Crosswalks are provided at signalized intersections in the project area. Based on field observations during a regular school day, heavy pedestrian and vehicular traffic occurs along Pollard Road and More Avenue for up to 30 minutes around school start and finish times (DKS 2006).

Bike lanes, striped lane for one-way bike travel on a roadway, are located in the project area on Winchester Boulevard south of Wimbledon Drive and eastbound Lark Avenue. Winchester Boulevard north of Wimbledon Drive, Knowles Drive, Pollard Road, and the westbound direction of Lark Avenue are designated as streets frequently used by bicyclists, where they share the roadway with motor vehicles (VTA 2011b). Bike routes on these streets vary from a rating of "moderate" to "extreme caution."¹¹

¹¹ Moderate is defined by low traffic volumes, moderate to low speed traffic, wide travel area for bicycles, and/or low parking turnover or no curbside parking. Extreme Caution is defined by heavy traffic volumes, high traffic speeds at or greater than 35 miles per hour, high number of motor vehicles turning right or merging across bicyclists' path or travel, narrow travel area for bicycles, frequent bus service and stops, and/or high curbside parking turnover.

Determination of Significance

The project is considered to create a significant adverse impact on traffic conditions at an intersection in the Town of Los Gatos if for either peak hour:

- The addition of project traffic causes an intersection operating at LOS A, B, or C under background condition to degrade more than one letter grade under project conditions, or
- The LOS at an intersection is LOS D or worse under background conditions and the addition of project trips causes degradation at all of LOS.

Discussion

Impact TR-1: Conflict with an Applicable Plan, Ordinance, or Policy (No Impact)

The proposed project would not conflict with an applicable plan, ordinance or policy.

Impact TR-2: Increase in Area Traffic Volumes and Degradation of LOS Attribute to Construction-Generated Traffic (Less than Significant with Mitigation)

Construction activity associated with the proposed project at the Plant would generate short-term increases in vehicle trips by construction workers and by trucks transporting material to and from the sites on area roadways. A typical construction crew for the proposed improvements would include up to an average of 25 workers per day during the 28-month timeframe. Up to 10 additional construction management and District staff could also be present during construction of the project. Construction personnel trips are not anticipated to exceed 50 vehicle trips per day (up to 40 commute trips and 10 midday trips).¹²

A preliminarily estimated total of 12,100-cubic yards of construction materials (soils, aggregate rock, asphalt, and concrete) would be hauled to or from the site. Disposal of construction debris from the site would require a total of about 125 truck loads (i.e., 250 one-way trips). Trucks also would be required to bring fill and building materials to the site. About 390 truck loads (780 one-way trips) of aggregate base rock, asphalt, and backfill soils would be anticipated. Another 250 truck loads (500 one-way trips) of concrete would be anticipated. Over the course of the 28-month construction period, the level of activity that generates truck trips would vary, but for purposes of this analysis, it is assumed there would be as many as 40 one-way truck trips per day and as many as six truck trips per hour over the 7-hour haul and delivery period. Trucks would use the haul route suggested above. No residential roadways other than those specified would be used by truck traffic.

Construction would typically take place Monday through Friday, between 8:00 am and 5:00 pm. Analysis of the proposed project for potential traffic impacts also assumes a worst-case scenario where construction could extend to 8:00 pm for a maximum of 5 days. On some days, the construction hours would have to be extended construction to meet building standards for construction of concrete features such as the gravity thickeners.

Project construction would create a limited, temporary parking demand for construction workers and construction vehicles. Assuming each worker would drive alone to the work site,

¹² As used herein, the term "vehicle trip" is defined as a one-way vehicle movement with its origin or destination at the work site. That is, the number of worker commute vehicle trips is twice the number of workers because each worker arrives at the work site in the morning and departs from the work site in the evening; it is assumed that some workers also would make miscellaneous midday trips. The number of truck trips is twice the number of truck loads because each truck has to enter and leave the work site.

there would be a demand for up to 40 parking spaces during the 28 months of work. Adequate construction worker and equipment parking would be provided in existing facility parking areas and the proposed staging area.

The project-generated traffic would be temporary and therefore would not result in any long-term degradation in traffic operating conditions (i.e., permanent increases in congestion) on any project area roadways. The main off-site impacts from the movement of construction trucks would include short-term and intermittent lessening of roadway capacities due to slower movements and larger turning radii of trucks compared to passenger vehicles. In addition, drivers could experience delays if they were traveling behind a construction truck. The short-term impact of the project would be limited because the estimated number of daily truck trips and construction worker vehicle trips spread over the typical 9-hour work day would be minimal. Project-related hauling and deliveries would be dispersed throughout the day, thus lessening the effect on peak-hour traffic. Moreover, Table 4-7 shows that LOS at the connector streets and Highway is rated on average LOS C. The town criteria is D. Forty one-way truck trips dispersed throughout the day would not increase excess traffic to above the threshold of significance. The project would not involve any lane closures, reduce access for residents, or significant delays on area roadways because trucks would be staged on the Plant property and would exit the area after loading. A truck route plan will be submitted to the Town of Los Gatos as described in Mitigation TR-1 to lessen potential traffic impacts.

Construction-related truck traffic from 8:00 to 9:00 a.m. and 4:00 to 6:00 p.m. would coincide with peak-period traffic volumes on area roadways and therefore have the greatest potential to impede traffic flow resulting in a significant traffic impact. Additionally, heavy pedestrian and vehicular traffic would generally be present on Pollard Road and More Avenue, coinciding with Rolling Hills Middle School start and finish times. This impact would be reduced to less than significant with the implementation of mitigation TR-2.

Impacts from truck traffic during peak traffic hours over a period of up to five days spread over the duration of construction would be considered less than significant. Implementation of Mitigation Measure TR-2 (traffic control and safety plan) in conjunction with District traffic BMPs would reduce the impact to a less than significant level.

Long-term operation and maintenance of the Plant facilities after completion of the proposed improvements is anticipated to generate no increase in worker trips (identical to current operation and maintenance activity). Improvements to the thickening and dewatering processes would even allow reductions in chemical usage and reduce the volume of dewatered solids, thus reducing the total truck trips for chemical delivery and off-site disposal. Therefore, the project would have no impact on area traffic volumes or degrade the LOS in the area.

Mitigation Measure TR-2: Coordinate with Town of Los Gatos to Reduce Peak Hour Traffic Impacts

The District will develop a traffic control and safety plan in coordination with Town of Los Gatos and Rolling Hills Middle School. The traffic control and safety plan would provide measures to reduce conflicts with peak traffic and school traffic, including potential timing restrictions on truck traffic or other traffic control provisions. The traffic control and safety plan will be incorporated into the contract specifications, and this plan will include, but not be limited to, the following measures:

- Implementation of standard District BMPs to avoid or minimize traffic impacts.

- Trucks will not exit the project site during the peak traffic periods at the Rolling Hills Middle School for the duration of the project. This restriction will apply between the hours of 7:30 a.m. and 8:30 a.m., and 2:30 p.m. and 3:30 p.m. Also, truck operations will be prohibited on Pollard Road and More Avenue to allow school-related traffic to dissipate from the immediate vicinity.
- Construction truck traffic will be allowed during non-restricted hours until 4 pm, Monday through Friday. Truck traffic restrictions may be suspended for a maximum of ten days to allow extended construction hours between 8 am to 8 pm. Suspension of truck traffic restrictions will require District engineer approval prior to implementation.
- Haul and delivery trucks will be required to use Lark Avenue, Winchester Boulevard, Knowles Avenue, Pollard Road, and More Avenue to access the Plant.

Impact TR-3: Change in Air Traffic Pattern that Results in Substantial Safety (No impact)

The proposed project would not affect air traffic patterns or result in safety risks. There would be no impact.

Impact TR-4: Result in Inadequate Hazards because of Design Feature (No Impact)

Proposed project would not include any design features that would increase any types of traffic hazards. No adverse impacts are anticipated.

Impact TR-5: Result in Inadequate Emergency Access (Less than Significant)

Access for emergency vehicles would be maintained at all times during the construction period, so this impact is less than significant. I

Impact TR-6: Conflict with adopted Policies Supporting Alternative Transportation (No Impact)

The proposed project would not conflict with any adopted programs or policies associated with alternative transportation; therefore, there would be no impact.

Utilities and Service Systems

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
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?				✓
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	

Would the project:	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
7) Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

Discussion

Impact UTIL-1: Exceed Wastewater Treatment Requirements of the Applicable Regional Water Quality Control Board (No Impact)

No new waste treatment activity is proposed, so the project would not exceed wastewater treatment requirements by the San Francisco Bay Regional Water Quality Control Board; therefore, there would be no impact.

Impact UTIL-2: Require or Result in the Construction of New Water or Wastewater Treatment Facilities or Expansion of Existing Facilities (No Impact)

The proposed project would upgrade the existing residual management structures and would not expand the capacity of the Plant.

Impact UTIL-3: Require or Result in the Construction of New Stormwater Drainage Facilities or Expansion of Existing Facilities (Less than Significant)

The project requires the reconfiguration of an existing stormwater system at the Plant to accommodate the existing drying beds. The proposed project would not change the storm water drainage system of the site. The improved stormwater piping will ensure stormwater is either treated at the Plant or discharged into existing City facilities.

Impact UTIL-4: Need new or Expanded Water Supply Entitlement (No Impact)

The project would not affect existing water supply entitlements, nor would it require new or expanded entitlements. As such, no impact would occur.

Impact UTIL-5: Exceed wastewater Treatment Capacity (Less than Significant)

The project would construct a new building that includes several sinks and restroom. The sinks and toilet would generate a negligible amount of waste water. The project would not exceed

wastewater treatment capacity of the West Valley Sanitation District (J. Lee, personal communication), and impact would be considered less than significant.

Impact UTIL-6: Be Served by a Landfill with Sufficient Permitted Capacity to Accommodate the Project's Solid Waste Disposal Needs (Less than Significant)

Construction

The proposed project would generate construction-related solid waste. During construction, the project would require the disposal of approximately 6,400 cubic yards of soil and construction debris. The material would likely be disposed at the Guadalupe Landfill over the 28-month construction period. The landfill recycles construction debris (soil, concrete, asphalt) which is used on-site as construction materials and daily landfill cover. The remaining capacity of the landfill as of July 2010 was approximately 11,163,000 cubic yards (R. Azevedo, personal communication). The landfill has a maximum permitted disposal capacity of 3,650 tons per day (County of Santa Clara 2011). The disposal of 6,400 cubic yards of material would constitute a negligible percentage of the remaining capacity. The landfill would have sufficient permitted capacity to accommodate the project's solid waste construction material disposal needs; therefore, impacts would be considered less than significant.

Operation

Implementation of the proposed residuals management process would improve the thickening and dewatering processes and reduce the volume of dewatered solids for off-site disposal. Improvements resulting from the proposed project would be beneficial by reducing expected landfill volume needed to operate the Plant. Dewatered solids would continue to be disposed at the Newby Island Landfill, which would continue to accommodate the incremental decrease in dewatered solids. Therefore this impact would be considered less than significant.

Impact UTIL-7: Comply with Federal, State, and Local statutes and Regulations Related to Solid Waste

The proposed project would generate construction-related construction waste. The construction contractor would be required to properly dispose of all construction related solid waste, including soil, at appropriate disposal facilities and in accordance with the applicable local regulations. Removal of solid waste would continue at the Plant in accordance with strict federal, state, and local statutes and regulations. Therefore, impacts would be considered less than significant.

Mandatory Findings of Significance

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

Discussion

Impact FIND-1: Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Less than Significant with Mitigation)

The proposed project could significantly degrade the quality of the environment. Potentially significant impacts to biological resources, noise, greenhouse gas, and traffic have been identified. However, implementation of specific mitigation measures provided in the *Biological Resources*, *Noise*, and *Transportation/Traffic* sections and incorporation of District BMPs would reduce potential impacts to a less than significant level. As a result, the proposed project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

Impact FIND-2: Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects (Less than Significant with Mitigation)

The proposed project could result in a substantial contribution to impacts that are individually or cumulatively considerable when viewed in connection with the effects of past, current, and probable future projects. Past projects include the 930 University Avenue Park Facility Project; the 850 University Avenue Warehouse Project, and the Wedgewood Avenue Improvements Project. Current and future projects in the same area are listed below. This project's construction schedule could overlap with these projects, and project-related traffic could represent a cumulatively considerable contribution to regional traffic congestion problems. Other proposed or approved projects that would occur within the project vicinity include the following (J. Savage and K. Rohani, personal communication):

- Rinconada Water Treatment Treated Valve Upgrade Project - This project would replace existing chemical structure and pump infrastructure at the Plant. Chemical structure construction would primarily involve replacement of a retaining wall. Pump valve replacement would be indoors, typically in the basement of the control building. Construction is anticipated to begin in 2013.
- Winchester Boulevard/Knowles Avenue Intersection Improvements – This project is designed to improve traffic flow at Winchester Avenue and Knowles Avenue by installing upgraded traffic signalization devices and restriping the roadway. The project is planned to begin design in September 2013 with an anticipated construction date in early 2014.

To address the potential for traffic issues, the District will implement Mitigation Measure FIND-2. With this measure in place, the project's contribution to cumulative traffic impacts is expected to be less than cumulatively considerable.

Long-term effects of the project on the environment and surrounding community would be very similar in nature and scope to activities already taking place at the Plant. Therefore, over the long-term, the project is not expected to create new significant cumulative impacts of the "additive effects" type.

Mitigation Measure FIND-2: Coordinate Haul Traffic Associated with Other Projects

The traffic control and safety plan (Mitigation Measure TR-2) will be coordinated with the scheduled peak truck delivery and haul traffic associated with other approved projects that are located along the project's haul route to ensure that the project's contribution to this effect would not be cumulatively considerable.

Impact FIND-3: Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Less than Significant with Mitigation)

The project has the potential to have minor adverse effects related to construction on human beings from increased noise, dust, and exposure to hazardous materials during construction. This impact is considered less than significant because the impacts would be temporary and would be mitigated by implementing appropriate BMPs and mitigations measures cited in this document.

No significant impacts on human beings related to long-term project operation have been identified. In the contrary the project would reduce landfill volume and would reduce the day-to-day truck trips for offsite disposal. Noise from operation would also be reduced with the elimination of tractors and front-end loaders.

Section 5 Report Preparation

This section lists those individuals who contributed to the preparation of this Mitigated Negative Declaration.

Santa Clara Valley Water District

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Appendix A: Mitigation Monitoring Reporting Program for the Rinconada Water Treatment Plant Residuals Management Project Mitigated Negative Declaration

Under the California Environmental Quality Act (CEQA), the Lead Agency must adopt a Mitigation Monitoring and Reporting Program (MMRP) as part of project approval whenever a Mitigated Negative Declaration or an Environmental Impact Report (EIR) is prepared on a project. This is stated in the CEQA Guidelines as follows:

“In order to ensure that the mitigation measures and project revisions identified in the EIR or negative Declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” (§15097 (a))

“The Lead Agency may choose whether its program will monitor mitigation, report on mitigation, or both. “Reporting” generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Reporting ensures that the approving agency is informed of compliance with mitigation requirements. “Monitoring” is generally an ongoing or periodic process of project oversight. Monitoring ensures that project compliance is checked on a regular basis during and, if necessary, after implementation. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (§15097 (c))

This MMRP is summarized in table format. The table lists the impacts, mitigation measures, method and timing of implementation, and monitoring responsibility related to the Rinconada Water Treatment Residuals Management Project. It also suggests the documentation to be used to indicate that the measure was implemented. The table includes a column for a signature to verify that the measure was implemented, so that the MMRP itself can be used as the documentation.

The Santa Clara Valley Water District is the lead agency and is responsible for ensuring that the mitigation measures are implemented. All the mitigation measures listed in the MMRP would be implemented by the District or by its appointees.

According to CEQA Guidelines Section 15126.4 (a)(2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” Permit conditions, if any, and mitigation measures listed in the MMRP would be implemented by the District when the project is approved

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
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Air Quality and Greenhouse Gas				
Impact AQ-6: Greenhouse Gas Emissions during Construction (Less than Significant with Mitigation)	Mitigation Measure AQ-6: Implement Construction Equipment GHG Reduction Measures SCVWD shall include the following measures, as feasible and where applicable, in construction-contract specifications. These measures, in addition to having other environmental benefits, would also reduce GHG emissions. Some of these measures are part of ARB's "Early Action Measures." 1) SCVWD will require that contractors maintain tire inflation to the manufacturer's inflation specifications 2) SCVWD will require that contractors shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15 minute maximum). The District will implement a construction worker education program. 3) Recycling and reuse of building materials from remodeled and demolished buildings. 4) Use of recycled-content construction materials in new construction. 5) Reuse and rehabilitate existing buildings when appropriate and feasible in order to reduce waste, conserve resources and energy, and reduce construction costs. 6) Require new construction and remodels	Implementation: District/Contractor Timing: During Construction	Implementation: District/Contractor Timing: During Construction	Initials _____ Date _____

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
	to use energy- and resource-efficient and ecologically sound designs, technologies, and building materials, as well as recycled materials to promote sustainability. 7) Reductions in the use of nonrenewable resources in building construction, maintenance, and operations. 8) Require LEED certification or comparable certification for new non-residential buildings over 5,000 square feet.			
Biology				
Impact Bio-1 Substantial Adverse Effect on any Species identified as a candidate, sensitive, or Special-Status Species on local or Regional Plans, Policies, or Regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Less than Significant with Mitigation)	Mitigation Bio-1.1: Relocation of Woodrat Nests The following measures will reduce impacts to woodrats and their nests. Previous surveys on the proposed location have already identified woodrats nests within the footprint of the project. 1) Conduct a detailed survey to identify all the woodrat nests that would be impacted by the new road and/or utility corridors. 2) Relocate the nest to a suitable location for woodrat activities. As described above, plant communities on the water treatment plant grounds consist of coast live oak and blue oak woodlands, scattered eucalyptus trees within native and mixed scrublands, which are suitable for the relocation and habitat preservation of the woodrat	Implementation: District/Contractor Timing: Before Construction	District Project Manager	Initials _____ Date _____

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
	population. Mitigation Measure Bio-1.2: Establish Buffer Zones for Nesting Raptors and Migratory Birds The following measures will reduce impacts to nesting birds to a less than significant level: 1) The removal of trees and shrubs will be minimized to the extent practicable. 2) Staging area size will be minimized to the extent practicable, and staging area access will be limited to a clearly demarcated path. 3) In the event that an active nest of a protected bird species is discovered in the construction area, or in adjacent areas considered to have the potential to be disturbed by construction, a protective buffer zone will be established around the nest as follows: • A 20-foot radius buffer zone will be established around the nest of any non-raptor ground-nesting bird. • A 50-foot radius buffer zone will be established around any non-raptor nests in shrubs, trees, on structures, or on equipment. • A 250-foot radius buffer zone will be established for hawks, owls, herons, and egrets. These buffer zones may be adjusted in			

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
	consultation with applicable resource agencies, depending on the type of project activity, the species of bird nesting, whether the nest would have a direct line of sight to construction activities, local topography and vegetation, and the existing noise and human disturbance levels. No construction activity of any kind will be permitted in the buffer zone until a qualified biologist determines that the young have fledged or otherwise abandoned the nest.			
Impact Bio-5: Conflict with any local Policies or Ordinances Protecting Biological Resources, such as Tree Preservation Policy or Ordinance (Less than Significant with Mitigation)	Mitigation Measure Bio-5: Reduce Impact to protected Trees 1) The following measures will reduce impacts to protected trees. Protected trees will be defined according to the Scope of Protected Trees identified in the Town of Los Gatos tree protection ordinance (Sec. 29.10.0960). Prior to the start of construction, a qualified arborist will prepare a Tree Survey Plan of the impact area to determine which trees could be affected by construction. The tree survey will include the trunk diameter (measured at 3 feet above natural grade), height, canopy spread, species, condition, and location of all protected trees which may be directly or indirectly impacted by the project. The tree survey will specify which trees will be retained and protected, and which trees will be removed and replaced. 2) For those trees that can be avoided by project activities, a Tree Protection Zone (TPZ) will be established around the tree(s). The TPZ will be defined according to the	Implementation: District/Contractor Timing: During Construction	District Project Manager	Initials _____ Date _____

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
	International Society of Arboriculture recommendations or, if greater, as a distance equal to ten times the diameter of the trunk as measured at 3 feet above natural grade. The TPZ will be marked with brightly colored exclusion fencing, and this fencing will remain in place for the duration of project activities. Construction personnel will be prohibited from entering the TPZ for the duration of project construction. Construction activities, vehicle operation, material and equipment storage, and other surface-disturbing activities will be prohibited within the TPZ. 3) For those trees that cannot be avoided by project activities, a certified arborist will monitor construction in the TPZ. Tasks of the arborist will include, but not be limited to: pruning trees in accordance with the pruning guidelines of the International Society of Arboriculture prior to construction to improve tree structure and allow access without damage to branches; supervise excavation to limit damage to tree roots; and cutting tree roots as necessary to avoid impacts to standing trees. 4) The District will compensate for trees that are removed as a result of project activities according to applicable replacement standards of Town of Los Gatos tree ordinance (Sec. 29.10.0985).			

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
Noise				
Impact NOI-4: Cause a Substantial Permanent, Temporary, or Periodic Increase in Ambient Noise levels in the Project Vicinity above Levels Existing without the project (Less than Significant with Mitigation)	Mitigation Measure NOI-4: Reduce Noise Impacts from Construction To reduce noise impacts due to construction, the District will require construction contractors to adhere to the following measures. The District will be responsible for ensuring implementation. 1) Stationary noise-generating equipment will be located as far as possible from sensitive receptors, and, if feasible, will be shielded by placement of other equipment or construction materials storage. 2) Equipment shall have appropriate mufflers, intake silencers, and noise-control features and would be properly maintained and equipped with exhaust that meet state standards Vehicle and other gas- or diesel-powered equipment would be prohibited from unnecessary warming up, idling, and engine revving.	Implementation: District/Contractor Timing: During Construction	District Project Manager	Initials _____ Date _____

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
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Traffic				
Impact TR-2: Increase in Area Traffic Volumes and Degradation of LOS Attribute to Construction-Generated Traffic (Less Than Significant With Mitigation)	Mitigation Measure TR-2: Coordinate with Town of Los Gatos to Reduce Peak Hour Traffic Impacts The District will develop a traffic control and safety plan in coordination with Town of Los Gatos and Rolling Hills Middle School. The traffic control and safety plan will be incorporated into the contract specifications, and this plan will include, but not be limited to, the following measures: 1) The plan will incorporate standard District BMPs to avoid or minimize traffic impacts. 2) Construction truck traffic will be allowed between 9 am and 4 pm, Monday through Friday. Truck traffic restrictions may be suspended for a maximum of ten days to allow extended construction hours between 8 am to 8 pm. Suspension of truck traffic restrictions will require District engineer approval prior to implementation. 3) Haul and delivery trucks will be required to use Lark Avenue, Winchester Boulevard, Knowles Avenue, Pollard Road, and More Avenue to access the water treatment plant. 4) No trucks shall exit the project site during the peak traffic periods at the Rolling Hills Middle School for the duration of the project. This restriction shall apply between the hours of 7:30 a.m. and 8:30	Implementation: District Timing: Before Construction	District Project Manager	Initials _____
				Date _____

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring and Reporting Responsibility	Verified Implementation
	a.m., and 2:30 p.m. and 3:30 p.m. 5) When Rolling Hills Middle School is in session, the District will prohibit truck operations on Pollard Road and More Avenue within 15 minutes of the start or end of the school-day to allow school-related traffic to dissipate from the immediate vicinity. (e.g., between 2:45 pm and 3:15 pm.			
Mandatory Findings				
Impact FIND-2: Have impacts that are individually limited, but cumulatively considerable when viewed in connection with the effects of the past, current projects, and probable future projects? (Less than Significant with Mitigation)	Mitigation Measure FIND-2: Coordinate Haul Traffic Associated with Other Projects The traffic control and safety plan (Mitigation Measure TR-1) will be coordinated with the scheduled peak truck delivery and haul traffic associated with other approved projects that are located along the project's haul route to ensure that the project's contribution to this effect would not be cumulatively considerable.	Implementation: District Timing: Before Construction	District Project Manager	Initials _____ Date _____

APPENDIX B: TREE THAT MAY BE IMPACTED BY THE PROPOSED PROJECT

Santa Clara Valley Water District 					HortScience TREE SURVEY					Rinconada Water Treatment Plant Los Gatos CA July 2005 & April 2006				
					TREE No.	SPECIES	MAP No.	TRUNK DIAMETER (in.)	CONDITION 1=poor 5=excellent	SUITABILITY for PRESERVATION	HEIGHT (ft.)	CANOPY CLASS	MITIGATION PLANTING (No. of 24" box trees)	COMMENTS
PNT NO.	EASTING	NORTHING	ELEVATION	DESCRIPTION										
30226	1568750.562	278569.9798	Not Surveyed	HS added point	226	Plum	C-23 T	5,4,3,2,2,2	2	Poor	14	10' to 27'	3	Adj. to #726; dieback.
30227	1568816.355	278724.0289	Not Surveyed	HS added point	227	River red gum	C-22 T	3	3	Poor	22	4' to 9'	2	Near #771; spindly.
30233	1568581.337	278532.8173	Not Surveyed	HS added point	233	Coast live oak	C-23 T	5	5	Good	14	4' to 9'	2	Good young tree; adj. to #499.
20497	1568536.113	278615.7929	399.82	TREE 5-4. IN. 12' H 4' DL	497	Toyon	C-23 T	5	4	Good	12	10' to 27'	3	Not tagged; engulfed in poison oak; shrub.
20498	1568547.088	278590.4706	401.83	TREE 4-4. IN. 12' H 6' DL	498	Buckthorn	C-23 T	4,3,2,2,2	1	Poor	12	4' to 9'	2	Largely dead.
20499	1568589.82	278542.2059	388.03	TREE 4. IN. 14' H 7' DL	499	Blue oak	C-23 T	4	5	Good	14	10' to 27'	3	Emerging through shrub layer; rangy form.
20577	1568596.136	278556.5474	383.3	OAK 8. IN. 25'H 10' DL	577	Valley oak	C-23 T	6	5	Good	28	10' to 27'	3	Good young tree.
20578	1568591.827	278552.8293	385.7	TREE 2-8,3-3. IN. 15' H 6' DL	578	Plum	C-23 T	6,6,4,2,2	3	Poor	16	10' to 27'	3	Multiple stems arise @ base with poor attachments.
20579	1568581.088	278562.1978	385.17	TREE ?-4. IN. 15' H 15' DL	579	Japanese privet	C-23 T	3,2,2	3	Moderate	13	4' to 9'	2	Emerging through shrubs; poor form.
20580	1568583.772	278556.2137	387.63	TREE 2-4. IN. 15' H 8' DL	580	Japanese privet	C-23 T	3,3	3	Moderate	12	4' to 9'	2	Emerging through shrubs; poor form.
20581	1568585.137	278571.1709	385.24	OAK 5. IN. 10' H 4' DL	581	Coast live oak	C-23 T	4	5	Good	10	4' to 9'	2	Shrub form.
20582	1568577.007	278580.2832	388.92	TREE 4. IN. 16' H 3' DL	582	Coast live oak	C-23 T	3,2	4	Moderate	12	4' to 9'	2	Codominant trunks @ base; leans W.
20583	1568577.499	278579.733	390.48	TREE 6-5. IN. 18' H 8' DL	583	Toyon	C-23 T	5,5,4,3,3,3	4	Moderate	18	10' to 27'	3	Shrub.
20584	1568567.977	278575.2078	389.18	TREE 2-4. IN. 15' H 10' DL	584	Toyon	C-23 T	4,3,2	4	Moderate	15	10' to 27'	3	Shrub.
20585	1568560.389	278623.7164	390.35	TREE 3-6. IN. 15' H 15 DL	585	Bushy yate	C-23 T	8,7,6	3	Poor	16	10' to 27'	3	Partially failed downhill, towards road; dense crown.
20610	1568631.614	278496.8682	393.46	TREE 3-4. IN. 12' H 6' DL	610	Toyon	C-23 T	4,4,3,3,2	4	Good	14	10' to 27'	3	Shrub.
20611	1568618.197	278510.6541	389.38	TREE 4-6. IN. 12' H 8' DL	611	Toyon	C-23 T	3,3,3,3,2	4	Good	12	10' to 27'	3	Shrub
20691	1568735.942	278537.3944	382.12	PINE 28. IN. 25' H 15' DL	691	Giant redwood	C-23 T	22	2	Poor	26	10' to 27'	3	Severe branch canker; sinuous trunk.
					692	number is shown on map, but data is not available.								
20693	1568716.518	278533.2989	379.51	TREE 4-4. IN. 20' H 15' H	693	Toyon	C-23 T	3,2,2,2	4	Moderate	15	10' to 27'	3	Shrub; multiple stems arise @ base; bowed NE.

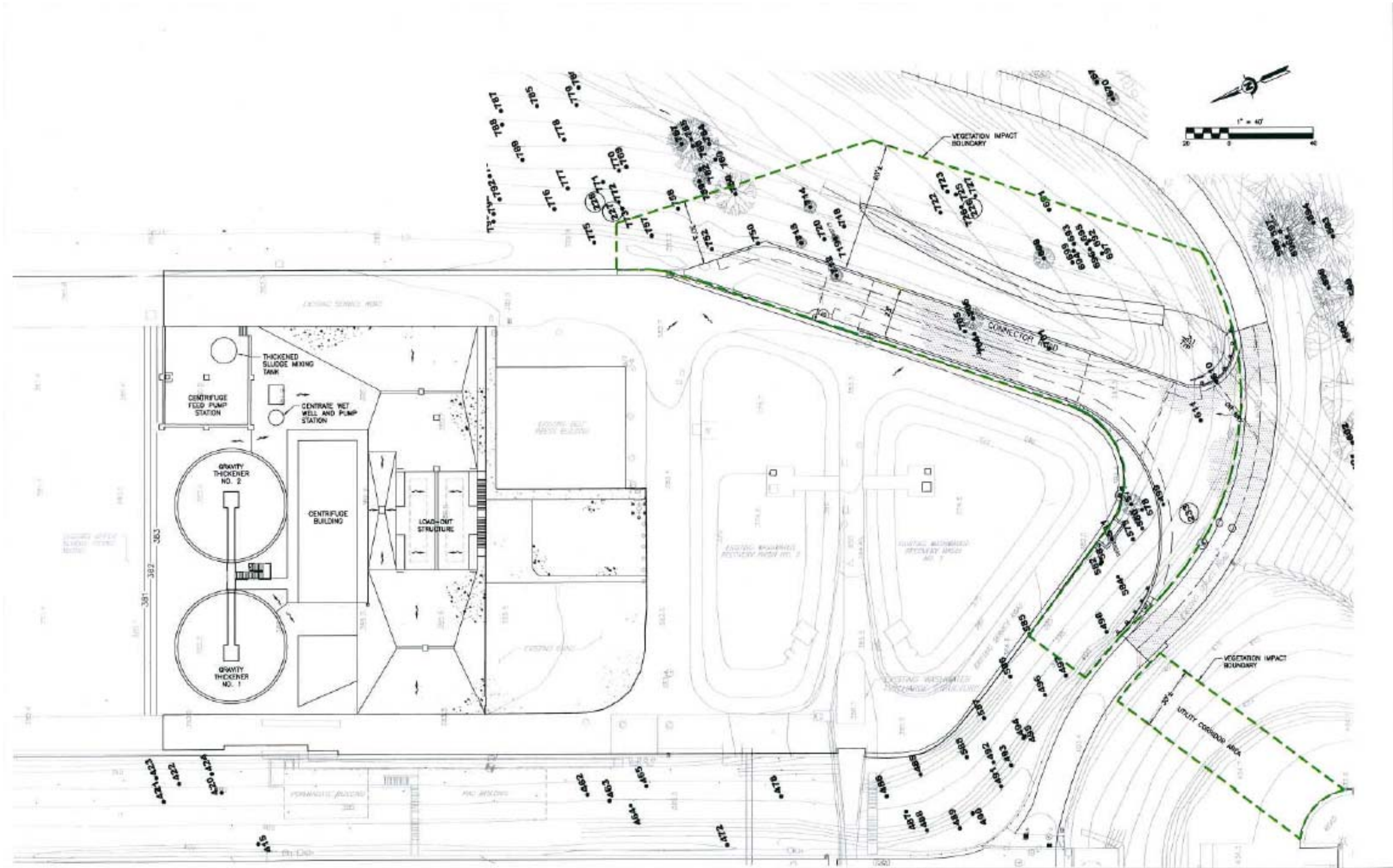
APPENDIX B: TREE THAT MAY BE IMPACTED BY THE PROPOSED PROJECT

20694	1568713.693	278534.6764	379.38	TREE 4-3,7-6. IN. 20' H 15' DL	694	Red flowering gum	C-23 T	6,6,6,5,5,4,4,3,2	3	Moderate	20	10' to 27'	3	Stump sprouts; multiple stems arise @ base.
20695	1568714.371	278527.7117	379.38	TREE 4. IN. 10' H 2' DL	695	Buckthorn	C-23 T	3	3	Moderate	15	4' to 9'	2	Narrow crown due to dense planting.
20696	1568711.417	278527.4017	379.11	TREE 2-3. IN. 10' H 2' DL	696	Buckthorn	C-23 T	3	3	Moderate	15	4' to 9'	2	Narrow crown due to dense planting.
20697	1568707.286	278523.0156	380.52	TREE 3-3" IN. 12' H 8' DL	697	Toyon	C-23 T	3,3,2	4	Moderate	6	10' to 27'	3	Shrub; completely over to S. due to competition.
20698	1568716.108	278548.5404	373.87	OAK 4. IN. 10' H 5' DL	698	Blue oak	C-23 T	5	3	Poor	13	4' to 9'	2	Bowed N. with flat-top.
20699	1568708.987	278537.1499	375.68	TREE 5-4,1-6. IN. 15' H 10' DL	699	Plum	C-23 T	5,5,3,2,2,2	3	Moderate	16	10' to 27'	3	Multiple stems arise @ base.
20701	1568677.2	278562.7809	379.29	TREE 6. IN. 12' H 5' DL	701	Buckthorn	C-23 T	3,2,2,2,2	2	Poor	12	4' to 9'	2	Declining.
20704	1568697.42	278592.0685	380.25	TREE 2-6,3-4. IN. 15' H 6' DL	704	Toyon	C-23 T	5,4,4,3,3	5	Good	12	10' to 27'	3	Multiple stems arise @ base; good young tree.
20705	1568700.607	278595.8644	380.24	TREE 2-4. IN. 15' H 6' DL	705	Buckthorn	C-23 T	4,3,3	3	Poor	11	4' to 9'	2	Shrub; one-sided to N.
20706	1568703.96	278589.9585	377.13	OAK 3. IN. 12' H 5' DL	706	Valley oak	C-23 T	3	5	Good	12	4' to 9'	2	Good young tree.
20712	1568747.441	278640.2735	378.35	OAK 4. IN. 10' H 3' DL	712	Blue oak	C-23 T	4	4	Moderate	12	4' to 9'	2	Good young tree; lost central leader
20713	1568767.823	278649.2241	372.98	OAK 7. IN. 12' H 2.5' DL	713	Coast live oak	C-23 T	4	5	Good	16	10' to 27'	3	Good young tree.
20714	1568781.352	278638.8662	364.68	OAK 4. IN. 15' H 3' DL	714	Coast live oak	C-23 T	4	5	Good	16	10' to 27'	3	Good young tree.
20718	1568766.879	278628.0048	365.87	SHRUB, 10' H	718	Toyon	C-23 T	3,3,2	4	Moderate	8	4' to 9'	2	Asymmetric form.
20719	1568763.393	278634.0014	370.37	OAK 4. IN. 15' H 2' DL	719	Valley oak	C-23 T	4	5	Good	16	4' to 9'	2	Good young tree; one-sided to S.
20720	1568764.922	278638.5863	371.64	SHRUB, 15' H 3' DL	720	Toyon	C-23 T	3,3,2	2	Poor	8	4' to 9'	2	Declining; upper crown dead.
20722	1568754.714	278584.3763	368.19	TREE 8. IN. 20' H 10' DL	722	Valley oak	C-23 T	6	4	Moderate	22	10' to 27'	3	Codominant trunks @ 3'; bowed NW due to failure of adj. eucalyptus.
20723	1568762.268	278577.5886	370.65	TREE 3-3,4. IN. 20' H 7' DL	723	Plum	C-23 T	3,3,2,2,2,2,2	3	Moderate	18	4' to 9'	2	Multiple stems arise @ base.
20725	1568759.466	278574.4424	371.81	TREE 4. IN. 20' H 7' DL	725	Plum	C-23 T	4,4	4	Moderate	18	4' to 9'	2	Codominant trunks @ 3' with included bark.
20726	1568753.099	278574.3688	370.46	TREE 5-4,2-5,6 IN. 15' H 18' DL	726	Red flowering gum	C-23 T	6,5	2	Poor	10	10' to 27'	3	Codominant trunks @ base; spread apart.
20727	1568755.189	278566.5035	373.59	TREE 6-3. IN. 20' H 10' DL	727	Plum	C-23 T	4,3,2	1	Poor	8	4' to 9'	2	Mostly dead.
20750	1568775.711	278667.899	377.2	TREE 3. IN. 8' H 2' DL	750	Valley oak	C-23 T	3	5	Good	16	4' to 9'	2	Good young tree.
20752	1568781.823	278688.5407	381.25	TREE 3,5. IN. 10' H 4' DL	752	Chinese pistache	C-23 T	4,3	4	Moderate	16	10' to 27'	3	Codominant trunks @ base; could be pruned.
20757	1568799.055	278711.7733	380.23	TREE ?. IN. 6' H 4' DL	757	Toyon	C-23 T	4	2	Poor	8	10' to 27'	3	Poor form & structure; bowed W. almost horizontal.
20758	1568805.379	278695.5644	372.7	TREE 4. IN. 8' H 4' DL	758	Toyon	C-23 T	3,2	3	Poor	14	10' to 27'	3	4" thinning; bowed E.
20759	1568812.979	278681.4836	366.02	OAK 2. IN 8' H 3' DL	759	Coast live oak	C-23 T	2,1,1,1	4	Good	10	10' to 27'	3	Basically, a dense shrub.
20760	1568800.911	278668.3828	366.04	OAK 18 IN 25' H 10' DL	760	Valley oak	C-23 T	10,8	3	Moderate	30	10' to 27'	3	Codominant trunks @ 3' with included bark; sparse canopy.
20762	1568817.852	278678.951	362.5	OAK 4. IN 10' H 3' DL	762	Coast live oak	C-23 T	4	5	Good	16	10' to 27'	3	Good young tree.
20763	1568819.069	278670.493	359.19	OAK 2. IN 6' H 1' DL	763	Coast live oak	C-23 T	2	4	Moderate	10	4' to 9'	2	Good young tree; deer rubbing on lower trunk.

APPENDIX B: TREE THAT MAY BE IMPACTED BY THE PROPOSED PROJECT

20772	1568819.208	278719.538	373.03	YUCCA 3,5,6. IN. 30' H 15' DL	772	River red gum	C-23 T	5,4,3,2	3	Poor	30	10' to 27'	3	Multiple stems arise @ base; spreading apart.
20773	1568815.64	278719.1676	374.57	YUCCA 2,5,6,7. IN. 35' H 20' DL	773	River red gum	C-23 T	8,7,6,2	3	Poor	30	28' to 40'	4	Multiple stems arise @ base; spreading apart; poor form & structure.
20775	1568806.683	278737.6602	382.92	TREE 3-4,2-6,14. IN. 30' H 20' D	775	Bushy yate	C-22 T	16,5,5,4,4	2	Poor	35	28' to 40'	4	Multiple stems arise @ 1' ; trunk wound @ attachment history of branch failure; thin.

APPENDIX B: TREE THAT MAY BE IMPACTED BY THE PROPOSED PROJECT



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