

indicated on NWIC inventory maps is a formally unrecorded prehistoric site found at the Fisher School on Blossom Hill Road. There is no additional information regarding this resource (Geier & Geier 2011, pg. 14).

There remains potential that discovery of unknown and unanticipated buried cultural resources could occur during grading and construction activities. Damage to significant cultural resources would be considered a significant impact. The Town will implement standard conditions of approval consistent with General plan policy OSP-9.4 which requires construction to cease if cultural resources, including archaeological or paleontological resources, are uncovered during grading or other on-site excavation activities. Compliance with the Town's standard conditions would ensure impacts would be less than significant.

- c. The general plan EIR cites the University of California Museum of Paleontology in determining that there are no fossil localities within the Town (Town of Los Gatos 2010b, page 4.4-15), but determined that deep excavations could disturb unknown underground paleontological resources. The proposed project would involve shallow excavations, so no impact is expected to occur. In the unlikely event an anticipated paleontological find were to occur, compliance with general plan policies would ensure that impacts would be less than significant.
- d. While there are no know human remains within the site, there remains potential for the discovery of unknown and unanticipated human remain disturbance of which would be considered a significant impact. Per general plan policy OSP-9.3, if any human remains are discovered during implementation of public and private projects within the Town, the developer must fully comply with California laws that address the identification and treatment of human remains and the find must be treated with respect and dignity. Implementation of this general plan policy would ensure that impacts would be less than significant.

## 6. ENERGY

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

a/b. Buildout of the General Plan would increase energy consumption in the County. Energy resources (diesel and gasoline fuel) will be used during construction of projects anticipated in the General Plan. Energy will be consumed to provide lighting, heating, and cooling for development under the General Plan. Energy will also be consumed by transportation and vehicle use by projects anticipated in the General Plan. The General Plan EIR found that policies contained within the General Plan would promote smart energy use and efficiency and would reduce adverse environmental impacts associated with inefficient, wasteful, and unnecessary energy consumption to less-than-significant levels.

Future development of the project site in conformance with the Commercial Zoning Code standards could contribute to the impacts to energy resources identified in the General Plan EIR. However, the project would not result in more development than identified in the General Plan and analyzed in the General Plan EIR. The proposed project would not interfere with measures or General Plan policies intended to increase renewable energy provision, promote energy conservation, and increase overall energy efficiency throughout the Town. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the General Plan EIR, and the proposed project would result in a less than significant impact.

## 7. GEOLOGY AND SOILS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
(2) Strong seismic ground shaking? (15)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction? (2,15)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
(4) Landslides? (2,15)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (4, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (2,15)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) [Section 1803 of the California Building Code], creating substantial risks to life or property? (15)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (4, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

Milestone Geotechnical prepared a *Geologic and Geotechnical Investigation* (geotechnical report) for the project site in June 9, 2014 and revised August 10, 2018. The geotechnical report is included as [Appendix D](#) of this initial study. Milestone Geotechnical conducted a surface reconnaissance and subsurface exploration to evaluate physical and engineering properties of the subsurface conditions. Subsurface conditions were explored by drilling seven small-diameter exploratory boreholes between depths of 14.5 feet and 28.0 feet below the ground surface.

a. **1. Fault Rupture.** The project site is not located in an Alquist-Priolo Earthquake Fault Zone. Because no active or potentially active faults are known to cross the site, there is no risk of fault rupture across the site and there would be no impact from hazards related to fault rupture.

**2. Seismically-Induced Ground Shaking.** The closest mapped faults are a main trace of the potentially active Berrocal fault which is located approximately 0.9 miles to the southwest of the site. The site is located between concealed surface traces of the active Monte Vista – Shannon fault zone, with traces approaching within 1,000 feet to the northeast and 1,775 feet to the southwest. The active San Andreas fault zone is mapped approximately four miles southwest of the project site (Milestone 2018 p. 4). The property is expected to experience violent ground shaking during large earthquakes on the nearby segment of the San Andreas fault system. However, implementation of the Town's conditions will ensure there are no impacts related to the risk of loss, injury, or death associated with seismically induced ground shaking.

**3, 4. Landslide and Liquefaction.** Based on the lack of ground water and the gradation and density of the materials encountered during the geotechnical consultant's exploration, the potential for liquefaction is considered to be low. According to the general plan EIR, the site is not located in a liquefaction zone or landslide zone.

b. Approximately 79 percent (or 32,512 square feet) of the 0.94-acre project parcel is covered with the impervious surfaces of the site's building, concrete slab foundation, and asphalt parking lot. Project development would result a slight increase of impervious surface area by 657 square feet to 33,169 square feet of impervious surface area. The post-construction design of the project site consists of landscaping and storm water control measures that would encourage groundwater infiltration. Additionally, the proposed project would not create slopes on the site that would increase the risk of long-term erosion. Therefore, potential erosion-related impacts would be limited to the construction period. Project plans include a preliminary interim erosion control plan (applicable to and construction activities), and a preliminary storm water management plan that identifies proposed pervious and impervious surface and disposition of

- anticipated runoff. These plans are shown on sheets C-6, -7, and -8 in the project plans, included in the proposed development plans in [Appendix A](#). Implementation of the preliminary interim erosion control and storm water management plans, and compliance with Town Code Section 22.30.035 will ensure that impacts related to erosion and loss of topsoil would be less than significant.
- c/d. The geotechnical report determined that localized substandard backfill was present which is unstable and weaker near surface soil. However, the report determined that the geotechnical conditions of the site are suitable for the proposed construction. Implementation of the Town's conditions will ensure there will not be impacts related to unstable or expansive soils.
  - e. The proposed project would connect to the Town's sanitary sewer system and would not require the use of a septic system or alternative disposal system.

## 8. GREENHOUSE GAS EMISSIONS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (4,10,34)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (4,10,34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

a/b. The proposed project would result in new greenhouse gas emissions during its construction and operational phases. Construction emissions would be generated by equipment used during the site preparation and building construction processes. Operational emissions would be generated primarily by employee and visitor vehicle trips, and indirectly by use of electricity and natural gas on site, by use of electricity to pump water supply and treat wastewater, and from decomposition of solid waste generated by commercial uses.

The proposed project is located within the Bay Area Air Quality Management District (hereinafter “air district”). The air district is charged with managing air quality within its boundaries. The air district has published comprehensive guidance on evaluating, determining significance of, and mitigating GHG impacts of projects and plans. The guidance is contained in the air district’s 2017 CEQA Air Quality Guidelines (hereinafter “2017 CEQA Guidelines”). The 2017 CEQA Guidelines identify three thresholds of significance options for operational-related GHG emissions for land use development projects: 1) compliance with a qualified GHG reduction strategy; 2) annual emissions less than 1,100 metric tons per year (MT/yr) of CO<sub>2</sub>e; or 3) emissions below 4.6 MT CO<sub>2</sub>e/service population/yr, where service population equals the sum of residents plus employees generated by a project).

The Town of Los Gatos does not specifically have a greenhouse gas emissions reduction plan; however, policies in both the general plan and the *Los Gatos Sustainability Plan* (hereinafter “sustainability plan”) include measures that would reduce greenhouse gas emissions. The sustainability plan is the Town’s principal tool in implementing the

sustainability objectives of the general plan. The sustainability plan presents the Town's strategy to achieve sustainability in transportation, land use, energy conservation, water use, solid waste reduction and open space preservation. Implementation of the sustainability plan should reduce GHG emissions by approximately 30 percent from the business-as-usual assumption by 2020.

The 2017 CEQA Guidelines, Table 3-1 Criteria Air Pollutants and Precursors and GHG Screening Level Sizes, identifies land uses by size that are typically not expected to result in operational GHG emissions that would exceed air district thresholds. The applicable land use category of the air district's screening criteria table for the project is "general office building". For operational impacts from GHG emissions, the screening size is 19,000 square feet for a retail commercial building and 53,000 square feet for a general office building. The project consists of approximately 13,629 square feet of commercial buildings (of which 2,312 square feet is already existing). The project is below the air district's screening thresholds for such uses and would have a less-than-significant impact related to operational GHG emissions.

The air district has not adopted a threshold of significance for construction-related GHG emissions. During site preparation and construction of the project, GHGs would be emitted through the operation of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels to operate. Project excavation, grading, and construction would be temporary, occurring only over the construction period, and would not result in a permanent increase in GHG emissions. The impact from construction emissions associated with the project, therefore, would be less than significant.

Therefore, the proposed project would generate greenhouse gases that have a less-than-significant impact on the environment and would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

## 9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. 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? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. 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, create a significant hazard to the public or the environment? (24, 25)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. 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 a public-use airport, result in a safety hazard for people residing or working in the project area? (4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? (4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓



	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands area adjacent to urbanized areas or where residences are intermixed with wildlands? (4, 22, 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

a/b. The proposed project would not involve the routine transport, use, or disposal of hazardous waste or result in the release of hazardous materials into the environment. However, construction of the proposed project may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals typically used during construction. Transportation, storage, use and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Enforcement of hazardous material regulations and rapid response by local agencies would reduce the proposed project’s impact on the transportation, use, and disposal of hazardous materials to less than significant.

c. The project site is within one-quarter mile of three schools: Fischer Middle School (0.2 mile to the west), Louise Van Meter Elementary School (0.25 mile to the south), and Shannon Nursery School (0.2 mile to the east). The Shir Hadash Early Childhood Center is located approximately 0.30 mile to the east, and Blossom Hill Elementary is located approximately 0.35 mile to the northeast. As described in item “a-b” above, the project would not require the routine transport, use, or disposal of hazardous materials.

d. A search of the California Regional Water Quality Control Board’s GeoTracker database (within a 1,000-foot radius from the project site) identified five sites, including the project site, with previous environmental issues – now listed as completed/case closed – and one listed as open/verification monitoring. These sites are listed in Table 1, Hazardous Materials Sites in Project Vicinity.

All cases listed in Table 1 are closed except for the one located at King’s Court Shopping Center, approximately 0.10 of a mile north of the project site. The site is the location of a former dry cleaning business (King’s Court Cleaners) that operated from 1961 through 1980. This case involves soil and shallow groundwater contamination involving perchloroethylene (PCE), used by the dry cleaning business to perform cleaning services. According to the fact sheet prepared for the site by the Regional Water Quality Control Board, there is no known use of shallow groundwater underlying the site for municipal,

domestic, industrial, or agricultural water supply. This case has been listed with a status of “Open - Verification Monitoring” since 2002. This status definition means that site remediation is complete and a monitoring/sampling program is occurring to confirm successful completion of cleanup at the site. No active remediation is considered necessary or no additional active remediation is anticipated. Therefore, contamination from this case would not affect the project site.

**Table 1 Hazardous Materials in Project Vicinity**

Site Name	Global ID	Status <sup>1</sup> (Date Case Closed)	Case Type	Address
A & M Motors	T0608591735	Completed - Case Closed (1999)	Other/ Substance Release	16165 Los Gatos Boulevard
EXXON #7-0223	T0608547563	Completed - Case Closed (2004)	Leaking Underground Tank	700 Blossom Hill Road
Former South Bay Honda	T10000003448	Completed - Case Closed (2012)	Other/Substance Release	16213 Los Gatos Boulevard
King's Court Shopping Center	S118314734	Open - Verification Monitoring (N/A)	Other/ Substance Release	728 Blossom Hill Road
Los Gatos Acura	T0608536423	Completed - Case Closed (1997)	Leaking Underground Tank	16151 Los Gatos Boulevard
West Valley Dodge (project site)	T0608501657	Completed - Case Closed (1996)	Leaking Underground Tank	16212 Los Gatos Boulevard

*Source:* RWQCB 2018; Google Earth 2018.

*Notes:* <sup>1</sup> Project Status Definitions

Completed – Case Closed: A closure letter or other formal closure decision document has been issued for the site.

Open – Verification Monitoring: Remediation phases are essentially complete and a monitoring/sampling program is occurring to confirm successful completion of cleanup at the Site. (E.g. No “active” remediation is considered necessary or no additional “active” remediation is anticipated as needed. Active remediation system(s) has/have been shut-off and the potential for a rebound in contaminant concentrations is under evaluation).

A search of the California Department of Toxic Substances Control Envirostor database indicates no toxic cleanup incidents on or in the vicinity of the project site.

- e/f. The project site is not within an airport land use plan, within two miles of a public airport, or near a private landing strip. The nearest airports are San Jose International Airport, seven miles to the north, and Reid-Hillview Airport, nine miles to the northeast. The project would not result in a safety hazard for people working in the project area.
- g. The Town's *Emergency Operations Plan* identifies potential threats and outlines response protocols and procedures. Evacuations are considered most likely in response to a dam failure or wildfire. In general, during emergencies, major roads, highways, hospitals, and fire stations are important to the initial response. Schools, churches, and community centers are frequently used as assembly points for persons displaced from homes, or for distribution of emergency supplies. The project site is adjacent to a major road (Los Gatos Boulevard) and within 0.4 mile of a fire station. However, the proposed project would not impede access along Los Gatos Boulevard or to the fire station, or interfere with response during an emergency. There would be no impact related to implementation of an emergency plan.
- h. The proposed project site is located in a local responsibility area, but is not located in a zone of Very High Fire Hazard, as identified in the general plan. The project is not adjacent to or intermixed with wildlands. There is no risk of exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires.

## 10. HYDROLOGY AND WATER QUALITY

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Violate any water quality standards or waste discharge requirements? (4, 19, 20, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted? (4,5,6,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. 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 <i>substantial erosion or siltation on- or off-site?</i> (4, 19, 20)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. 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 run-off in a manner which would result in <i>flooding on- or off-site?</i> (4, 19, 20)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (4, 19, 20)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
f. Otherwise substantially degrade water quality? (4, 19, 20)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
i. 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? (4, 13, 29)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
j. Cause inundation by seiche, tsunami, or mudflow? (4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a. **Water Quality Standards.** In order to comply with the State-issued National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP), Order R2-2015-0049, NPDES Permit No. CAS612008, adopted on November 19, 2015, the Town of Los Gatos are required to place Conditions of Approval related to storm water quality control on certain “regulated” development projects. Regulated projects include all projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site. Approximately 79 percent, or 32,512 square feet, of the 0.94-acre project site is currently covered with impervious surfaces. When completed, the project would result in a 657 square foot increase in impervious surfaces to 33,169 square feet. The project would require the replacement of 19,141 square feet of impervious surfaces and would include 7,532 square feet of new impervious surface. Therefore, the project would be a regulated project subject to storm water quality control (Town of Los Gatos Provision C.3 Data Form p. 1 and Notice for Developers & Contractors State of California Stormwater Regulations p. 1).

All regulated projects are required to implement Low Impact Development (LID) source control, site design, and storm water treatment in accordance with Provisions C.3.c. and C.3.d. of the NPDES permit. The goal of LID is to reduce runoff and mimic a site’s predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. Each regulated project is reviewed by the Town’s stormwater treatment consultant to certify the project’s compliance with the NPDES permit requirements. An agreement with the Town outlining the treatment facilities installed and the on-going operation, maintenance and reporting obligations will be the final requirement.

Additionally, Town Code Section 22.30.035 requires permanent storm water pollution prevention measures for development projects to reduce water quality impacts of storm water runoff from the site in accordance with the Town's current NPDES storm water discharge permit, and the Town's policy for storm water management requirements for new development and redevelopment projects.

The project would be required to adhere with the above referenced standards which would ensure the project would not violate any water quality standards.

**Waste Discharge Requirements.** The West Valley Sanitation District provides wastewater collection and disposal services for Campbell, Monte Sereno, Los Gatos, much of Saratoga, and some unincorporated areas of Santa Clara County. The West Valley Sanitation District has a fixed allocation of the San Jose/Santa Clara Wastewater Treatment Facility (Town of Los Gatos 2010a, p 4.14-18). The Regional Water Quality Control Board strictly monitors the wastewater treatment facility's discharges and sets requirements in the facility's NPDES wastewater discharge permit according to wastewater discharge requirements (San Jose-Santa Clara Regional Wastewater Facility. Fact Sheet p. 1). The project would connect to the city maintained sewer system and therefore, the proposed project would not violate any waste discharge requirements.

- b. Approximately 92 percent, or 38,515 square feet, of the 0.94-acre project site is currently covered with impervious surfaces. Once developed, the project would result in a net decrease in impervious surfaces to 32,960 square feet. Therefore, the project would result in an increase in pervious surfaces and would not interfere with groundwater recharge; i.e. there would not be a net deficit in aquifer volume or a lowering of the local groundwater table level when compared to the existing on-site conditions.

According to the geotechnical report, no groundwater was detected to the maximum depth explored of 26 feet below ground surface (Milestone Geotechnical 2010, p 10). The proposed project does not include groundwater extraction and would not substantially deplete groundwater supplies.

- c-f. Urban development has the potential to substantially alter the existing drainage pattern of a site and result in the release of pollutants that can degrade the quality of downstream waters which would result in substantial erosion, siltation, or flooding on- or off-site. Additionally, development can create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off. The proposed project has the potential to generate pollution in storm water runoff during construction and operations. The project will be required to implement Low Impact Development (LID) source control, site design, and storm water treatment in accordance with Provisions C.3.c. and C.3.d. of the NPDES

permit as discussed in item “a.” The project plans include a preliminary interim erosion control plan (applicable to demolition and construction activities), and a preliminary storm water management plan that identifies proposed pervious and impervious surfaces, disposition of anticipated runoff volumes, and storm water treatment methods to safeguard water quality in site runoff and prevent erosion and siltation during construction and operation of the proposed project. These plans are shown on sheets C-6, -7, and -8 in the project plans, included in the proposed development plans in [Appendix A](#). Implementation of the Town’s storm water requirements and preliminary interim erosion control and storm water management plans would ensure that the project would not result in the a substantial alteration of the drainage pattern of the site such that it would cause the release of pollutants or result in substantial erosion, siltation, flooding or exceedance of the storm drainage system.

- g/h. According to the Federal Emergency Management Agency (FEMA) flood zone map in the general plan EIR (Figure 4.8-1), the project site is not located in a flood zone.
- i. The project site is within a dam failure inundation area. The project site is downstream of the Lenihan Dam at Lexington Reservoir on Los Gatos Creek, and is subject to flooding in the event of a dam failure. Lenihan Dam was seismically upgraded and the state inspects dams regularly to ensure safety; therefore, dam failure is unlikely, and the impact is less than significant.
- j. The project site is not located adjacent to a large body of water, so seiches and tsunamis are not possible. The project site is essentially level and surrounded by nearly level ground, so mudflows are not possible.

## II. LAND USE AND PLANNING

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Physically divide an established community? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. 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? (1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a. The surrounding area is developed with commercial, retail, and residential land uses. The site is bordered on two sides by public roadways (Los Gatos Boulevard and Shannon Road) with sidewalks and bike lanes. The proposed project includes re-use of the existing commercial building and the addition of a second commercial building. The project is adding to an existing on-site commercial use and would not divide an established community.
- b. Applicable policies of the general plan and zoning code were reviewed by the consultant and it was determined that the proposed project would not conflict with any applicable land use plan policies adopted for the purpose of avoiding or mitigating an environmental impact.
- c. The project site is not located within a designated natural community conservation plan and, for the reasons described in item “f” in Section 4, Biological Resources, the proposed project would not conflict with or impair implementation of the Santa Clara Valley Habitat Conservation Plan. Therefore, no impacts would occur.



## 12. MINERAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a/b. The general plan EIR determined that mineral resources are not significant in the Town. Several limestone quarries operated south of Los Gatos in the late 1800s and early 1900s. The nearest active quarries are the Lexington Quarry, east of Lexington Reservoir, and the Lehigh Permanente and Stevens Creek quarries west of Cupertino. There is no active mining at or near the project site or anywhere within the Town. There are no known mineral resources in the vicinity of the project site.

### 13. NOISE

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1,18)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (4,5,6,18)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. 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, expose people residing or working in the project area to excessive noise levels? (5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a. The discussion below is based, in part, on the Envelope Acoustical Design (noise analysis) prepared by Veneldasen Associates in February 2011 for the Laurel Mews residential project located at 16213 Los Gatos Boulevard and the noise impact section included in the initial study prepared for that project (Geier & Geier 2011). The Laurel Mews site is located diagonally from the project site across Los Gatos Boulevard.

The Noise Element of general plan contains guidelines for land use planning to reduce future noise and land use incompatibilities (see Figure NOI-1 of the Noise Element). These guidelines define noise level acceptability by land use. According to the Town's noise level guidelines for commercial uses, noise levels up to 70 dBA (LDN or CNEL) are "normally acceptable" while noise levels between 67 dBA and 77 dBA are "conditionally acceptable." Noise levels between 75 dBA and 85 dBA are "normally unacceptable." There are no "clearly unacceptable" noise levels identified for this use. The Noise Element also establishes outdoor noise limits (see Table NOI-2 of the Noise Element), which represent long-range community goals for different land use designations within the Town. For commercial uses, the goal is 70 dBA (LDN).

The Noise Element establishes goals and policies for reducing noise levels in the Town. Policies aimed at reducing noise levels must address specific sources of unwanted noise, as well as noise-sensitive receptors.

The noise analysis prepared for the Laurel Mews residential project determined that pre-project noise levels on that site ranged from 57 – 68 dBA (LDN). Future (2030) with project noise levels at that site would increase by approximately 1dBA across the site. Given the proximity of the project site to the Laurel Mews site, it can be assumed that noise levels at the project site would be similar, although daytime noise levels may be higher at the Laurel Mews site due to proximity to the auto repair shop located on the northwest intersection of Los Gatos Boulevard and Roberts Road, with auto repair bays located on Roberts Road.

The project site would be subject to noise levels attributable to traffic along Los Gatos Boulevard that are considered "normally acceptable" for the proposed commercial uses. Therefore, impacts would be less than significant and no mitigation is necessary.

- b. Operation of the proposed project would not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground borne noise levels. Vibration levels generated during project construction activities may at times be perceptible at neighboring land uses, but vibration levels would not be excessive or result in cosmetic or structural damage to buildings.
- c. The main source of operational noise associated with the proposed commercial project would be traffic noise. Long-term, permanent increases in ambient noise levels would be primarily associated with increases in vehicle traffic on nearby roadways. According to the U.S. Department of Transportation Federal Highway Administration, doubling of the noise source produces only a 3 dB increase in sound pressure level. A 3 dB change in sound level is barely detectable by the human ear. The greatest effect of project traffic would occur along Los Gatos Boulevard between Roberts Road and Shannon Road during the PM peak hour. The PM Peak hour number of vehicle trips along this roadway

segment is 2,104 vehicles. The proposed project would add 21trips to this segment during the PM peak hour, for a total of 2,125 trips representing an increase of in traffic volume by 0.99 percent (traffic impact analysis [Appendix E](#)). Therefore, project-generated increase in traffic volumes would not substantially increase noise levels in the project vicinity.

- d. Equipment that produces noise will be used during the short-term construction process. Residences and businesses are located adjacent to and near the project site. Use of construction equipment could be a short-term source of impact on these noise-sensitive uses. However, implementation of Town conditions would ensure significant impacts are avoided.
- e/f. The project site is not within an airport land use plan, is not within two miles of a public airport, and is not near a private landing strip. The nearest airports are San Jose International Airport, seven miles to the north, and Reid-Hillview Airport, nine miles to the northeast. Flights generally approach San Jose International Airport through the Coyote Valley, and depart over south San Francisco Bay. Flights approaching San Francisco Airport generally pass over the Santa Cruz Mountains west of Los Gatos. Most aircraft do not pass over Los Gatos.

## 14. POPULATION AND HOUSING

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

- a. The proposed project would not result in population growth or foster growth beyond that planned in the general plan. Therefore, there would be no indirect impacts related to construction of infrastructure as a result of population growth.
- b/c. There are no existing houses or people on the project site that would be displaced by the proposed project.

## 15 PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically 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 following public services:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Fire protection? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Police protection? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Schools? (2,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. Parks? (4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e. Other public facilities? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a-e. Existing development on the site is served by public services. The proposed project is not a population generating project and would not significantly increase the demand for public services such that new or altered facilities would be required.

## 16. RECREATION

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Would the project 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? (4,5,6,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (4,5,6,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a/b. The proposed project would not increase local population or increase demand for recreational facilities such that construction or expansion of existing facilities would be required. The project's future employees may result in an incremental increase in the use of nearby recreational facilities, but would not have significant impacts on existing park and recreational facilities or result in environmental impacts from the construction of additional park and recreational facilities.

Nearby recreational facilities include Blossom Hill Park (0.6 mile to the east), Vasona County Park (0.5 mile to the west), Oak Meadow Park (0.6 mile to the west), Los Gatos Creek Trail (0.5 mile to the west), Fischer Middle School (0.2 mile to the west), Louise Van Meter Elementary School (0.25 mile to the south), and Los Gatos High School (0.8 mile to the southwest).

The project vicinity is served by a large number of additional existing park and recreational facilities. Parks and recreational programs serving or located close to the project site are operated by the Town, the City of Campbell, the Los Gatos Saratoga Community and Recreation District, Santa Clara County Parks Department, Mid-Peninsula Open Space District, and the California Department of Parks and Recreation.

## 17. TRANSPORTATION/TRAFFIC

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. 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? (17)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. 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? (17)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e. Result in inadequate emergency access? (4, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (4, 5, 6, 17, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

### **Comments:**

This section is based on the *16212 Los Gatos Boulevard Mixed-Use Development Traffic Impact Analysis* (traffic impact analysis) prepared by Hexagon Transportation Consultants on November 19, 2018. The impacts of the project were evaluated in accordance with the standards set forth by



the Town of Los Gatos. Traffic conditions at the study intersections were analyzed for the weekday AM, school PM, and PM peak hours of adjacent street traffic. The AM peak hour of adjacent street traffic is generally between 7:00 AM and 9:00 AM, the school PM peak hour is typically between 2:00 PM and 4:00 PM, and the PM peak hour of adjacent street traffic is typically between 4:00 PM and 6:00 PM. Traffic studies do not typically include the 2:00-4:00 PM period because it is not as busy as the commute hours. However, this site is near schools, so the streets are busy at school dismissal times. It is during these periods on an average weekday that the most congested traffic conditions occur. The study intersections are listed below.

1. Blossom Hill Road and Roberts Road
2. Los Gatos Boulevard and Blossom Hill Road
3. Los Gatos Boulevard and Roberts Road/Shannon Road
4. Los Gatos Boulevard and Nino Avenue

**Intersection Thresholds of Significance.** Traffic conditions at the study intersections were evaluated using level of service (LOS). Level of Service is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. The Town of Los Gatos LOS methodology for signalized intersections is the 2000 Highway Capacity Manual (HCM) method. This method is applied using the TRAFFIX software. The 2000 HCM operations method evaluates signalized and unsignalized intersection operations on the basis of average control delay time for all vehicles at the intersection. The Town of Los Gatos LOS standard for all signalized intersections is LOS D or better. A project is said to create a significant adverse impact on traffic conditions at an intersection if, for either peak hour, either of the following conditions occurs: 1) the addition of project traffic causes an intersection operating at LOS A, B, or C under no-project conditions to degrade more than one letter grade under with-project conditions, or 2) the level of service at an intersection is LOS D under no-project conditions and the addition of project traffic causes a degradation of level of service to LOS E or F.

a/b. **Performance Standards.** In order to determine potential traffic impacts associated with future development of the project, the traffic impact analysis evaluated six study scenarios: Existing Conditions, Existing Plus Project Conditions, Background Conditions, Background Plus Project Conditions, Cumulative Conditions, and Cumulative Plus Project Conditions. The LOS calculation sheets for each of these scenarios are included in Tables 5 through 7 of the traffic impact analysis (Appendix E).

**Existing Conditions and Existing Plus Project Conditions.** The results of the intersection level-of-service analysis under existing conditions and existing plus project conditions show all study intersections would operate at or better than their respective level of service standards.

**Background and Background Plus Project Conditions.** The results of the intersection level-of-service analysis under background conditions and background plus project conditions show all study intersections would operate at or better than their respective level of service standards.

**Cumulative and Cumulative Plus Project Conditions** The results of the intersection LOS analysis under cumulative conditions show that all study intersections would operate at acceptable levels of service (LOS D or better) during the AM, school PM, and PM peak hours. Under cumulative plus project conditions, the results of the intersection level of service show that, measured against the Town of Los Gatos level of service standards, all the study intersections would continue to operate at an acceptable LOS D or better during the AM, school PM, and PM peak hours. According to the Town of Los Gatos significant intersection impact criteria, the proposed project would not generate any significant intersection impacts under cumulative plus project conditions.

The Town requires a Traffic Control Plan for each project to control construction traffic, including limiting haul and delivery truck traffic during the morning and afternoon peak hours to facilitate the flow of commuter traffic. The Traffic Control Plan sets the routes allowed for construction traffic to facilitate traffic flow and minimize travel delay in the event of overlapping construction traffic from other projects occurring in the vicinity, including projects from neighboring jurisdictions. Because the Traffic Control Plan is required, construction traffic impacts would be less than significant.

- c. The proposed project would not affect air travel.
- d. The Shannon Road driveway provides full access to the project site, whereas the Los Gatos Boulevard driveway is restricted to right-in and right-out only because of the median on Los Gatos Boulevard. The proposed project would extend the median to ensure that left-turning vehicles could not use the driveway to enter or exit. The width of the existing driveway on Shannon Road is 22 feet and Los Gatos Boulevard is 25 feet, which meet the City's requirement. The project driveways would be located as far as possible from the traffic signal at Los Gatos Boulevard and Shannon Road in order to maximize queuing storage and to minimize turning movement conflicts at the intersection.

The proposed project would make safety improvements and not increase hazards due to a design feature. Refer to item "F" for discussion of bicycle and pedestrian safety features.

- e. The site plan indicates that there would be sufficient space on-site to accommodate emergency trucks to conduct a three-point turn to turn around on site. Additionally, because the project driveways on Los Gatos Boulevard and Shannon Road would be connected internally, the site plan allows emergency vehicles to access from one driveway and exit at the other driveway without having to turn around onsite.

- f. The project site is well-served by existing bicycle facilities. There is an existing Class II bike lane on Los Gatos Boulevard. Additional bicycle facilities within the project vicinity include bike lanes on Blossom Hill Road, Cherry Blossom Lane, and on Los Gatos-Almaden Road, as well as the Los Gatos Creek trail. The Los Gatos Creek Trail is a Class I bike facility that runs in a north-south direction just west of Highway 17. Shannon Road is designated bike route near the project vicinity (Traffic Impact Analysis p. 36).

As part of a Safe Routes to School Plan, the project developer proposes to make various improvements along its frontage to enhance pedestrian and bicycle safety. The proposed project includes a protected bike lane on Los Gatos Boulevard with a painted buffer between the bike lane and the traveled lanes that would enhance the safety of cyclists and would not interfere with the project driveway or vice versa (Traffic Impact Analysis p. 38). Also, a bike box would be added to Shannon Road that would increase bicyclist visibility for drivers and enhance bicyclist safety crossing the intersection.

Pedestrian activity could occur between the site and retail centers located along Los Gatos Boulevard and Roberts Road, as well as the closest bus stops, located about 75 feet north and 200 feet to the south of the project site. There are existing sidewalks on Los Gatos Boulevard that connect the site to the bus stops and to the shopping. The project would increase pedestrian safety by moving the curb out ten feet on Los Gatos Boulevard to widen the sidewalk. The pork-chop island and the right turn slip lane would be removed on Shannon Road, which would reduce the pedestrian crossing distance. The proposed project would move the cross walk located at the east approach of the Shannon Road to the west approach of the Robert Road leg for additional pedestrian safety. Due to the location of the project site near schools, these improvements will not only encourage more pedestrians and bicyclists to walk or bike but also provide safety to the school students.

There is transit service on Los Gatos Boulevard is adjacent to the site. It is not expected that the proposed project would generate a significant amount of transit ridership or create a significant impact to intersection levels of service along transit routes. Therefore, the project would not significantly impact transit facilities and transit travel times.

The project would not decrease the performance or safety of bicycle, pedestrian, or transit facilities or conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

## 18. TRIBAL CULTURAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (1, 2, 3, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

- a. The CEQA statute as amended by Assembly Bill (AB) 52 (Public Resources Code Sections 21073 and 21074) define “California Native American tribe” and “tribal cultural resources.” A California Native American tribe is defined as a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. “Public Resources Code Section 21080.3.1 outlines procedures for tribal consultation as part of the environmental review process.

No California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1.

## 19. UTILITIES AND SERVICE SYSTEMS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. 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? (2,4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. 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? (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid-waste disposal needs? (4,30, 31)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g. Comply with federal, state, and local statutes and regulations related to solid waste? (4, 31)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Comments:**

a/b/e. West Valley Sanitation District provides wastewater collection and disposal services for the Town of Los Gatos. Wastewater treatment would occur at the San Jose/Santa Clara Water Pollution Control Plant located in Alviso. The treatment plant has a licensed capacity of 167 million gallons per day (mgd) and the flow rate in 2010 was below

110 mgd, which represented a drop of over 20 mgd since 2000. The treatment plant has a planned capacity of 450 mgd. At a generation rate of 0.076 gallons per square foot per day, a total of 853.48 gallons per day of wastewater generation would be introduced into the system (in addition to the 182.4 gallons per day currently generated on site. New on-site wastewater laterals would be installed and off-site wastewater collection pipe connections would be required. The West Valley Sanitation District has adequate collection facilities and treatment capacity to accommodate wastewater flows from the proposed commercial development.

- c. The proposed project would collect and treat storm water in on-site bioswales, with overflow storm water directed off the project site to an existing drainage conveyance system. Storm drainage would flow to existing drain lines in Los Gatos Boulevard and Shannon Road. Approximately 92 percent, or 32,512 square feet, of the 0.94-acre project site is currently covered with impervious surfaces. Once developed, the project would result in a small increase in impervious surfaces to 33,169 square feet. (See discussion under item c/d/e in Section 9, Hydrology and Water Quality.)

All projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site Therefore, the proposed project would we required to comply with appropriate design measures to control storm water runoff pollutant discharges.

- d. The proposed project would develop the project site with new uses that would use water provided by the San Jose Water Company. Using the future projected commercial demand factor from the general plan EIR, 0.0751 gallons per square foot per day, a total of 1,023.61 gallons per day, or 1.15 acre-feet of water per year. Landscape irrigation is assumed to be included within the overall commercial rate. It is expected that water needs of the proposed project would be met with existing entitlements and resources.
- f. West Valley Collection & Recycling is the exclusive recycling, compostable waste, and garbage hauler for the Town of Los Gatos, the cities of Campbell, Monte Sereno, and Saratoga and unincorporated Santa Clara County. Most compostable waste and garbage are transported to the Guadalupe Landfill, located off Hicks Road southeast of the project site; less than 10 percent of waste is disposed of at other landfills within the state. The Guadalupe Landfill has operated at the site (initially as an open burn facility) since 1929, and is owned by the Guadalupe Rubbish Disposal Company. The Guadalupe Landfill is a Class III solid waste landfill with a total permitted capacity of 28.6 million cubic yards. As of January 2011, the landfill had used approximately 11 million cubic yards (about 61 percent of its capacity) and is expected to reach its capacity in about 2048 (CalRecycle 2018).

Based on a disposal rate of 8.1 pounds per employee per day with 23 employees, the proposed project would generate about 186 pounds of solid waste per day (approximately 34 tons per year). Implementation of the General Plan policies for solid waste handling would promote waste reduction and compliance with recycling regulations. The landfill has adequate landfill space through 2048, and adequate landfill space would be available for the proposed project. The proposed project's impact on solid waste services would be less than significant.

- g. The California Integrated Waste Management Board sets disposal targets for each jurisdiction in the state. For Los Gatos, the 2015 targets were 6.0 pounds per day per resident and 11.6 pounds per day per employee. The Town exceeded those targets by limiting residential disposal to 4.5 pounds per person per day, and non-residential disposal to 8.1 pounds per person per day. The proposed project would have the same recycling and diversion opportunities, so disposal rates would be similar to the Town's existing rates. Therefore, the proposed project would be in compliance with solid waste regulations.

## 20 MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less than Significant Impact with Mitigation Measures Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a. Does the project 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; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (4, 5, 6, 18)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Does the project 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 past projects, the effects of other current projects, and the effects of probable future projects) (2, 4, 5, 6, 10, 18, 21, 26, 27)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (4, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

**Comments:**

- a. The project does not have a significant 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; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory.
- b. The proposed project would not contribute to cumulative project impacts.
- c. The project would not result in significant environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.



## E. SOURCES

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All documents indicated in bold are available for review at the **Los Gatos Community Development Department, 110 East Main Street, Los Gatos, CA 95030; (408) 354-6874** during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.

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