Initial Study

Cupertino Bicycle Transportation Plan Update Project

Application File Number:

Prepared by

CUPERTINO

May 2016

TABLE OF CONTENTS

TABLE OF CONTENTS

FIGURES

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations 15000 et. seq.) and the regulations and policies of the City of Cupertino. The City of Cupertino is the Lead Agency under CEQA and has prepared this Initial Study to address the impacts of implementing the proposed Cupertino Bicycle Transportation Plan Update.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

David Stillman
City of Cupertino
Public Works Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3249
DavidS@cupertino.org

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

The Initial Study/Mitigated Negative Declaration (MND) analyzes the maximum environmental impacts of the proposed project. Following the adoption of the MND, the City may choose to implement a reduced Cupertino Bicycle Transportation Plan. The impacts of this reduced-scope alternative would be less than the impacts analyzed in this MND and, therefore, would not require additional environmental review.

Following the conclusion of the 20-day public review period, the City will consider the adoption of the MND for the project at a regularly scheduled City Council meeting. The City shall consider the MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

If the project is approved, the City will file a Notice of Determination (NOD) within five days of project approval, which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Cupertino Bicycle Transportation Plan Update.

2.2 PROJECT LOCATION

The Bicycle Transportation Plan Update is an update to the existing Bicycle Transportation Plan adopted by the City of Cupertino as part of its General Plan. The Bicycle Transportation Plan proposes upgrading or adding bicycle facilities (Classes I-IV) to existing streets and trails throughout the City of Cupertino. Regional and aerial maps of the City are shown on Figures 2.2-1 and 2.2-2.

2.3 LEAD AGENCY/PROPERTY OWNER/PROJECT APPLICANT CONTACT

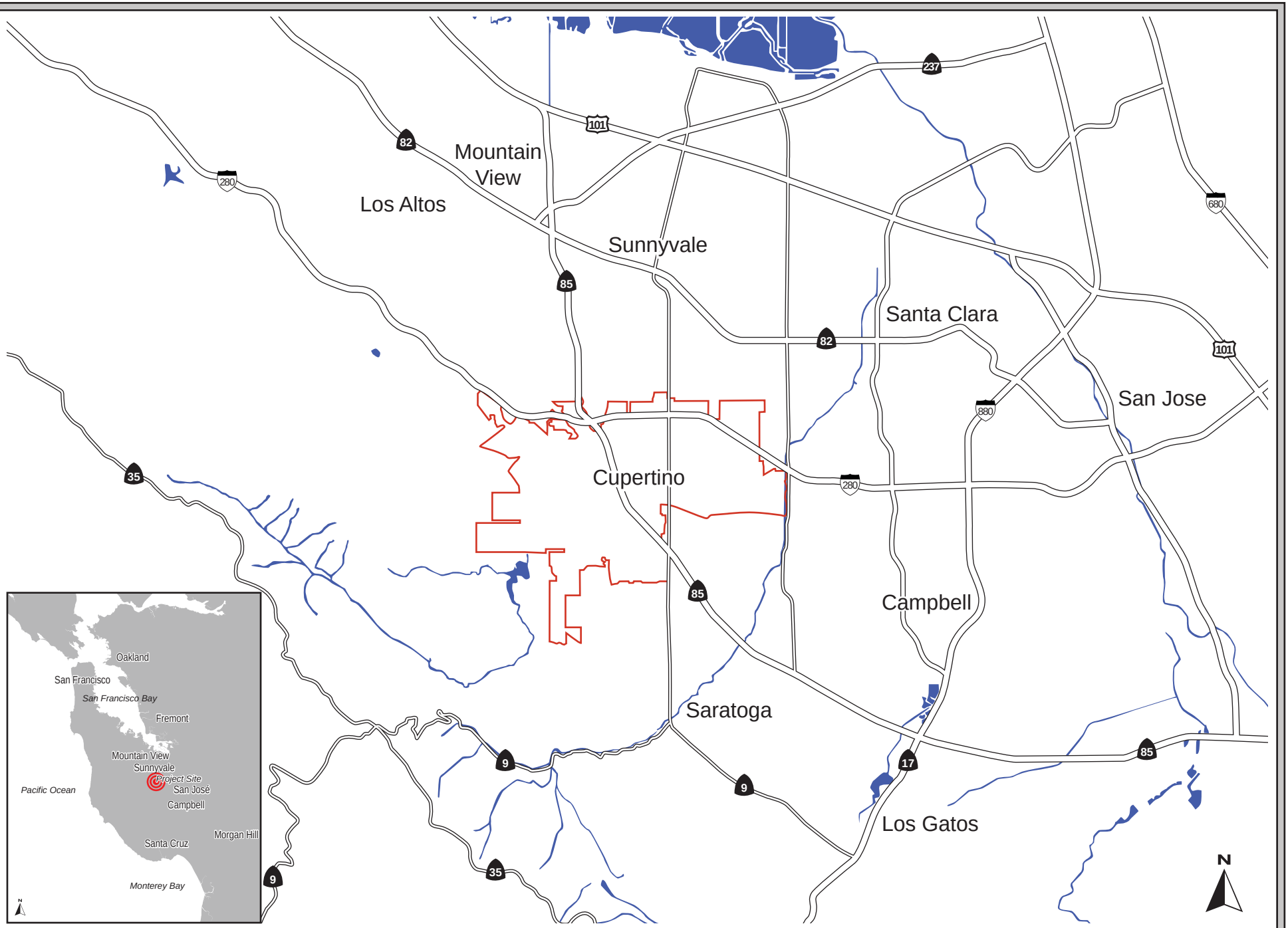
David Stillman
City of Cupertino
Public Works Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3249
davids@cupertino.org

2.4 ASSESSOR'S PARCEL NUMBER

Most of the length of the proposed bicycle network is on existing public right-of-ways which generally, do not have individual assessor parcel numbers.

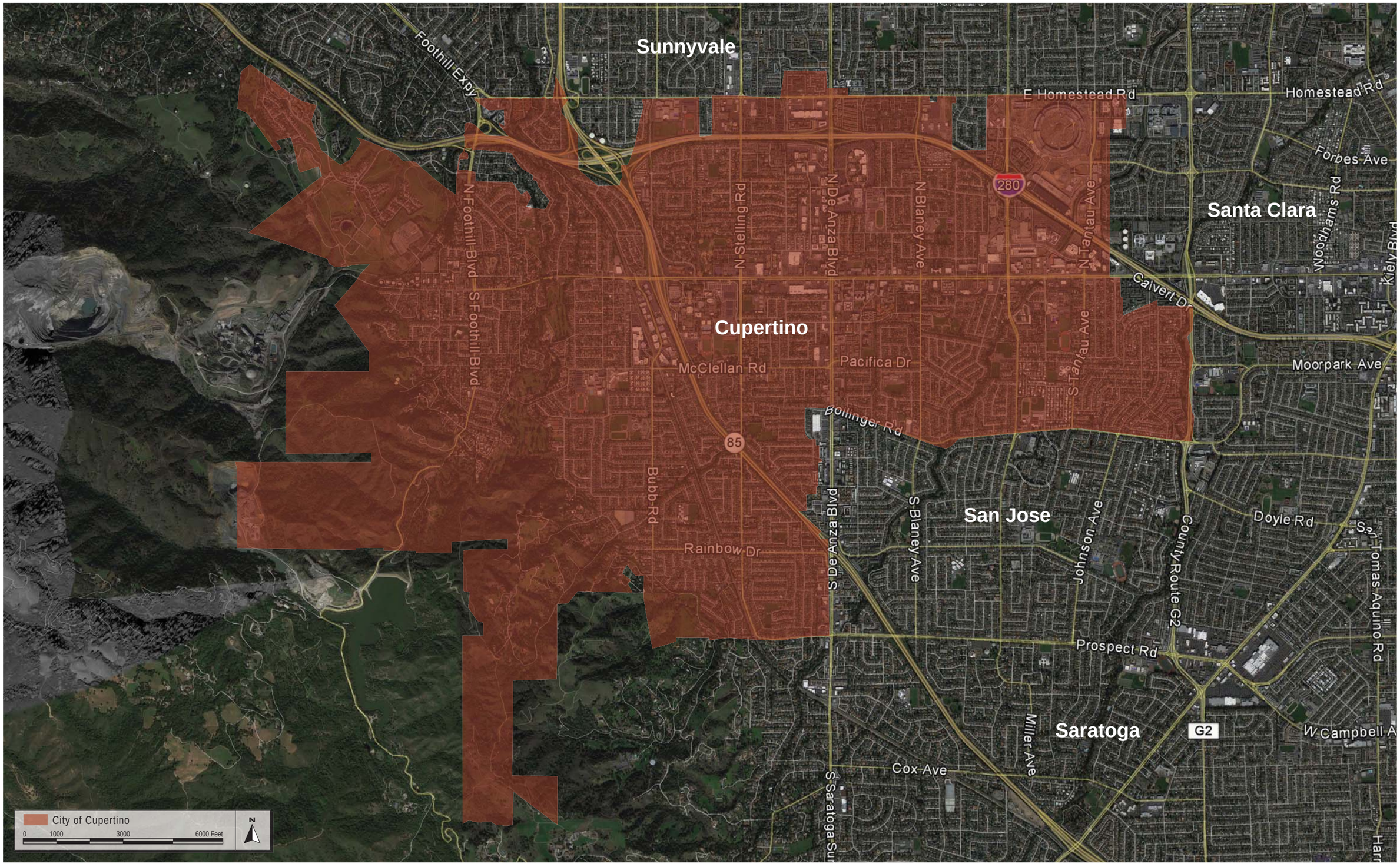
2.5 ZONING DISTRICT AND GENERAL PLAN DESIGNATIONS

Most of the length of the proposed bicycle network is on existing public right-of-ways, which generally do not have individual General Plan or zoning designations. The proposed bicycle facilities run through areas with various General Plan land use designations and zoning areas throughout the City.



VICINITY MAP

FIGURE 2.0-1



AERIAL PHOTOGRAPH

FIGURE 2.0-2

SECTION 3.0 PROJECT DESCRIPTION

3.1 BACKGROUND INFORMATION

The City of Cupertino's General Plan requires that its Bicycle Transportation Plan be updated every five years to reflect current roadway and bicycle lane conditions to seek funding opportunities for planned bikeway improvements. The proposed project is the update to the existing Bicycle Transportation Network Plan adopted by the City of Cupertino as part of the City's General Plan, *Community Vision 2015-2040*. The Bicycle Transportation Plan, herein referred to as the "project", is based on the recommendations and objectives of the City's Bicycle Pedestrian Commission.

3.2 PROJECT OVERVIEW

The proposed project is the updating of the Cupertino Bicycle Transportation Plan, as shown on Figure 3.0-1, Bicycle Network Recommendations. The project identifies a series of bicycle facilities that would improve upon and add to the existing bicycle network in Cupertino to form the Cupertino Bicycle Transportation network. The proposed bikeways would be aligned on existing streets, right-of-ways, and along creeks within the City of Cupertino, as shown on Figure 3.0-4. When all components of the project are completed, the Cupertino Bicycle Transportation network would be approximately 48.40 miles in length and would include a variety of bicycle classes based on the California State Department of Transportation (Caltrans) criteria, as shown in Table 3.0-1 below.

Table 3.0-1: Proposed Cupertino Bicycle Transportation Plan

Bikeway Class	Definition	Proposed Miles
Class I	Class I or Shared Use Path provides for bicycle and pedestrian travel on a paved right-of-way completely separated from streets or highways	7.97
Class II	Class II Bike Lanes provide a signed, striped and stenciled lane for one-way travel on both sides of a roadway. Buffered Class II bike lanes are those that are further enhanced by painted buffers that provide greater lateral separation from either travel lanes or parking lanes.	15.4
Class III	Class III Bike Routes provide for shared travel lane use and are generally only identified with signs. Class III Bike Boulevards include traffic calming features, interventions to reduce total vehicle volumes, and enhanced wayfinding and signage.	14.7
Class IV	Separated bikeways for the exclusive use of bicycles and includes a separation between the separated bikeway and the through vehicular traffic. Separation may include flexible/inflexible posts, inflexible barriers, or on-street parking.	10.33
Total		**48.4**

Sources:
1. City of Cupertino, *City of Cupertino Bicycle Transportation Plan Update – Draft Plan.* March 2016.
2. California Department of Transportation. *Highway Design Manual. Chapter 1000 Bicycle Transportation Design.* December 30, 2015.

The project includes three overlapping components that residents can use according to their preference:

- Cupertino Loop Trail
- Protected Bike Lane Network
- Bike Boulevard Network

These networks are described in greater detail in the following section and shown on Figures 3.0-2 – 3.0-4. Access to the proposed bikeways would be from existing public streets and parks. All components of the Plan would be constructed in accordance with the Americans with Disabilities Act (ADA).

Tables 3.0-2 and 3.0-3 list the proposed bikeway improvements and spot improvements for the project. Bikeway classes are shown, the vast majority of which are Class III on-street Bike Routes and Boulevards. Bike Routes have signs and/or sharrows[1] with no changes to the streets. Bike Boulevards may include traffic calming components to make the streets more appealing to bicycles.

Table 3.0-2: Proposed Bikeway Project Recommendations

Location	Start	End	Bikeway Class Facility	Length (miles)
Blaney Ave.	Homestead Rd.	Bollinger Rd.	Class IV	1.91
Bollinger Rd.	De Anza Blvd.	Lawrence Expy.	Class II	2.00
Bollinger Rd.	De Foe Dr.	Westlynn Way	Class II	0.18
Bollinger Rd. to Stevens Creek Bike Route (Bike Route #1)				0.84
Stern Ave.	Tilson Ave.	Stevens Creek Blvd.	Class III	0.43
Wunderlich Dr.	Johnson Ave.	Barnhart Ave.	Class III	0.19
Johnson Dr.	Bollinger Rd.	Wunderlich Dr.	Class III	0.22
Bubb Rd.	Stevens Creek Blvd.	McClellan Rd.	Class II	0.53
Campus Dr./ Stevens Creek Blvd. Connector	Campus Dr.	Stevens Creek Blvd.	Class II	0.11
Carmen Rd.*	Stevens Creek Blvd.- south side	Stevens Creek Blvd. - north side	Bridge	0.02
Civic Center to Creekside Park Bike Route (Bike Route #2)				1.24
Torre Ave.	Rodrigues Ave.	Pacifica Dr.	Class III	0.20
Pacifica Dr.	Torre Ave.	Farallone Ave.	Class III	0.11

[1] Sharrows are road markings used to indicate a shared lane environment for bicycles and automobiles. Source: National Association of City Transportation Officials. *Shared Lane Markings* Available at: http://nacto.org/publication/urban-bikeway-design-guide/bikeway-signing-marking/shared-lane-markings/. Accessed on April 11, 2016.

Farallone Ave.	Pacifica Dr.	Suisun Dr.	Class III	0.05
Suisun Dr.	Blaney Ave.	Farallone Ave.	Class III	0.22
Clifford Dr.	Blaney Ave.	Estates Dr.	Class III	0.30
Estates Dr.	Clifford Dr.	Creekside Path	Class III	0.36
Civic Center to Jollyman Park Bike Blvd. (Bike Blvd #1)				0.86
Rodrigues Ave.	De Anza Blvd.	Terry Way	Class III	0.09
Terry Way	Rodrigues Ave.	Shelly Dr.	Class III	0.05
Shelly Dr.	Terry Way	Westacres Dr.	Class III	0.20
Westacres Dr.	Shelly Dr.	McClellan Rd.	Class III	0.19
Kim St.	McClellan Rd.	Kirwin Ln.	Class III	0.14
De Foe Dr.	Bollinger Rd.	Jollyman Park	Class III	0.18
Civic Center to Sterling Barnhart Park Bike Blvd (Bike Blvd #2)				1.41
Rodrigues Ave.	Blaney Ave.	Wilson Park	Class III	0.13
Wintergreen Dr.	Portal Ave.	Cold Harbor Ave.	Class III	0.09
Cold Harbor Ave.	Wintergreen Dr.	Vicksburg Dr.	Class III	0.09
Vicksburg Dr.	Cold Harbor Ave.	Estates Dr.	Class III	0.10
Estates Dr.	Vicksburg Dr.	Creekside Park Path	Class III	0.03
Calle de Barcelona	Miller Ave.	Finch Ave.	Class III	0.16
Tilson Ave.	Finch Ave.	Wunderlich Dr.	Class III	0.54
Wunderlich Dr.	Tilson Ave.	Barnhart Ave.	Class III	0.05
Barnhart Ave.	Wunderlich Dr.	Sterling Blvd.	Class III	0.22
Cristo Rey Dr.	150 feet East of Cristo Rey Pl.	Roundabout	Class II	0.57
De Anza Blvd.	Homestead Rd.	Bollinger Rd.	Class II	1.75
Deep Cliff Golf Course Trail*	McClellan Rd.	Linda Vista Dr.	Class I	0.45
Finch Ave.	Stevens Creek Blvd.	Phil Ln.	Class IV	0.45
Foothill Blvd Bike Route (Bike Route #3)				0.81
Palm Ave.	Scenic Blvd.	Foothill Blvd.	Class III	0.25
Voss Ave.	Foothill Blvd.	Lockwood Dr.	Class III	0.25
Lockwood Dr.	Voss Ave.	Stevens Creek Blvd.	Class III	0.31
Foothill Blvd/Stevens Canyon Rd.	I-280 Off-ramp	Rancho Deepcliff Dr.	Class II	1.74
Foothill to Stevens Creek Bike Blvd. (Bike Blvd #3)				0.99
Starling Dr.	Foothill Blvd.	Chace Dr.	Class III	0.10
Chace Dr.	Starling Dr.	Hartman Dr.	Class III	0.04
Hartman Dr.	Chace Dr.	Ainsworth Dr.	Class III	0.16
Ainsworth Dr.	Hartman Dr.	Varian Way	Class III	0.25
Varian Way	Ainsworth Dr.	Varian Park	Class III	0.06
Amelia Ct.	Varian Park	Crescent Rd.	Class III	0.08
Crescent Rd.	Amelia Ct.	Hillcrest Rd.	Class III	0.10
Hillcrest Rd.	Crescent Rd.	Cupertino Rd.	Class III	0.09
Cupertino Rd.	Hillcrest Rd.	Carmen Rd.	Class III	0.06

Carmen Rd.	Cupertino Rd.	Stevens Creek Blvd.	Class III	0.04
Golden Gate Elementary to Memorial Park Bike Route (Bike Route #4)				0.42
Ann Arbor Ave.	Greenleaf Dr.	Lauretta Dr.	Class III	0.20
Lauretta Dr.	Ave Arbor Ave.	Ann Arbor Ct.	Class III	0.01
Ann Arbor Ct.	Lauretta Dr.	End of Street	Class III	0.06
Memorial Park	Christensen Dr.	Alves Dr.	Class III	0.16
Homestead Rd.	Mary Ave. Bridge	Tantau Ave.	Class II	0.51
Hwy 85 to Stevens Creek Blvd. Bike Route (Bike Route #5)				0.19
Peninsula Ave.	Stevens Creek Blvd.	Grand Ave.	Class III	0.09
Grand Ave.	Peninsula Ave.	Alhambra Ave.	Class III	0.10
Hyde Ave. Bike Route (Bike Route #6)				0.24
Hyde Ave.	Shadygrove Dr.	Bollinger Rd.	Class III	0.24
I-280 Channel Bike Path*	Meteor Dr./Mary Ave.	Vallco Pkwy.	Class I	2.94
Jollyman Park*	Stelling Rd.	Dumas Dr.	Class I	0.15
Lazaneo Dr.	Bandley Dr.	De Anza Blvd.	Class II	0.09
Mary Ave.	Meteor Dr.	Stevens Creek Blvd.	Class II	0.71
Mary Ave. to Portal Ave Bike Blvd (Bike Blvd #4)				1.51
Meteor Dr.	Mary Ave.	Castine Ave.	Class III	0.23
Castine Ave.	Meteor Dr.	Greenleaf Dr.	Class III	0.10
Greenleaf Dr.	Castine Ave.	Beardon Dr.	Class III	0.53
Beardon Dr.	Greenleaf Dr.	Greenleaf Dr.	Class III	0.03
Greenleaf Dr.	Beardon Dr.	End of street	Class III	0.14
Merritt Dr.	End of street	Portal Ave.	Class III	0.47
Mary Ave. to Vallco Mall Bike Route (Bike Route #7)				1.78
Memorial Park	Mary Ave.	Alves Dr.	Class III	0.20
Alves Dr.	Anton Way	Bandley Dr.	Class III	0.53
Bandley Dr.	Alves Dr.	Lazaneo Dr.	Class III	0.10
Lazaneo Dr.	De Anza Blvd.	Randy Ln.	Class III	0.32
Randy Ln.	Lazaneo Dr.	Chavoya Dr.	Class III	0.05
Chavoya Dr.	Randy Ln.	Carol Lee Dr.	Class III	0.05
Carol Lee Dr.	Chavoya Dr.	Wheaton Dr.	Class III	0.09
Wheaton Dr.	Carol Lee Dr.	End of street	Class III	0.43
McClellan Rd.	Byrne Ave.	De Anza Blvd	Class IV	1.43
Miller Ave.	Bollinger Rd.	Stevens Creek Blvd.	Class II	0.87
Oaks Development Bike Path*	Stevens Creek Blvd.	Mary Ave.	Class I	0.13
Pacifica Dr.	De Anza Blvd.	Torre Ave.	Class II	0.16
Perimeter Rd*	I-280 Channel Trail	Stevens Creek Blvd.	Class I	0.59
Portal Ave. Bike Blvd (Bike Blvd #5)				0.69
Portal Ave.	Merritt Dr.	Wintergreen Dr.	Class III	0.69
Prospect Rd.	Stelling Rd.	De Anza Blvd.	Class II	0.42
Rainbow Dr.	Upland Wy.	Stelling Rd.	Class II	0.50
Rainbow Dr.	Stelling Rd.	De Anza Blvd.	Class II	0.57
Regnart Creek Trail*	Pacficia Dr.	Estates Dr.	Class I	0.82

Rose Blossom/Huntridge Bike Route (Bike Route #8)				0.41
Rose Blossom Dr.	McClellan Rd.	Huntridge Ln.	Class III	0.32
Huntridge Ln.	Rose Blossom Dr.	Stelling Rd.	Class III	0.09
San Tomas-Aquino Creek Trail*	Stevens Creek Blvd.	Sterling Barnhart Park	Class I	0.50
SR-85 Crossing*	Grand Ave.	Mary Ave.	Bridge	0.13
Stelling Rd.	Homestead Rd.	Prospect Rd.	Class IV	3.02
Stevens Creek Blvd.	Foothill Blvd.	Tantau Ave.	Class IV	3.43
Stevens Creek Blvd.	Cupertino City Limit	Foothill Blvd.	Class IV	0.62
Stevens Creek Bike Blvd. (Bike Blvd #6)				1.12
San Fernando Ave.	Orange Ave.	Stevens Creek Trail	Class III	0.30
Scenic Cir.	Scenic Circle Path	Scenic Blvd.	Class III	0.19
Scenic Blvd.	Scenic Cir.	Carmen Rd.	Class III	0.26
Carmen Rd.	Scenic Blvd.	Stevens Creek Blvd.	Class III	0.17
Janice Ave.	Carmen Rd.	Stevens Creek Blvd.	Class III	0.25
Tantau Ave.	Homestead Rd.	Stevens Creek Blvd.	Class II	1.00
Tantau Ave. Bike Route (Bike Route #9)				0.41
Tantau Ave.	Bollinger Rd.	Barnhart Ave.	Class III	0.41
Tri-School East/West Bike Blvd (Bike Blvd #7)				0.66
Linda Vista Dr.	McClellan Rd.	Hyannisport Dr.	Class III	0.19
Hyannisport Dr.	Linda Vista Dr.	Bubb Rd.	Class III	0.47
Tri-School North/South Bike Blvd (Bike Blvd #8)				0.76
Santa Teresa Dr.	Hyannisport Dr.	Terrace Dr.	Class III	0.55
Terrace Dr.	Santa Teresa Dr.	Bubb Rd.	Class III	0.32
Union Pacific to Hwy 85 Bike Route (Bike Route #10)				1.48
September Dr.	McClellan Rd.	Festival Dr.	Class III	0.28
Festival Dr.	September Dr.	Orogrande Pl.	Class III	0.34
Orogrande Pl.	Festival Dr.	Stelling Rd.	Class III	0.03
Squirewood Way	Stelling Rd.	Scotland Dr.	Class III	0.13
Scotland Dr.	Squirewood Way	Kingsbury Pl.	Class III	0.22
Kingsbury Pl.	Scotland Dr.	Gardenside Ln.	Class III	0.06
Gardenside Ln.	Kingsbury Pl.	Rainbow Dr.	Class III	0.18
Poppy Way	Rainbow Dr.	Plum Blossom Dr.	Class III	0.21
Plum Blossom Dr.	Poppy Way	Jamestown Dr.	Class III	0.04
Jamestown Dr.	Plum Blossom Dr.	Prospect Rd.	Class III	0.25
Union Pacific Trail*	Stevens Creek Blvd.	Prospect Rd.	Class I	2.10
Vallco Pkwy.	Perimeter Rd.	Tantau Ave.	Class II	0.30
Varian Park Path*	Amelia Ct.	Varian Way	Class I	0.05
Vista Dr.	Forest Ave.	Stevens Creek Blvd.	Class II	0.24
West Cupertino North/South Bike Blvd. (Bike Blvd #9)				0.63
Orange Ave.	Mann Dr.	McClellan Rd.	Class III	0.55
Fort Baker Dr.	Presidio Dr.	Hyannisport Dr.	Class III	0.08
Westlynn/Fallenleaf Bike Route (Bike Route #11)				0.37

Westlynn Way	Bollinger Rd.	Fallenleaf Ln.	Class III	0.28
Fallenleaf Ln.	Westlynn Way	De Anza Blvd.	Class III	0.09
Wilson Park*	Rodrigues Ave.	Wilson Park Path	Class I	0.03
Wolfe Rd.	Homestead Rd.	Stevens Creek Blvd.	Class II	1.00
Note: Proposed improvements with an * may require further environmental review.				

3.3 PROJECT COMPONENTS

3.3.1 Cupertino Bicycle Transportation Network

3.3.1.1 *Cupertino Loop Trail*

The proposed Cupertino Loop Trail would implement Class I trails along Regnart Creek, along the I-280 flood control canal, and along the UPRR right-of-way (see Figure 3.0-2). These trail segments would be connected to each other by a series of low-stress on-street bikeways recommended in the Plan. The network design and improvements are intended primarily to support recreational riders and long-range bicycle trips. The Class I facilities are discussed in this Initial Study for the purposes of understanding the entirety of the proposed project; however, most of the proposed Class I facilities will require additional environmental review prior to project construction.

3.3.1.2 *Protected Bike Lane Network*

The proposed Protected Bike Lane Network would convert bike lanes on Stevens Creek Boulevard, Stelling Road, McClellan Road, Blaney Avenue, and Finch Avenue to a network of protected Class II and Class IV bike lanes (see Figure 3.0-3). This network will provide a connected east/west and north/south spine of direct bike routes for residents wanting to quickly reach key destinations throughout Cupertino. The protected bike lane network would be designed to connect major streets to local K-12 schools throughout the City and to provide better access to De Anza College students, commuters, and residents making local shopping trips.

3.3.1.3 *Bike Boulevard Network*

The proposed Bike Boulevard Network would construct Class III bike routes and bike boulevards to provide neighborhood-friendly alternatives parallel to bike network options on major City streets (see Figure 3.0-4). The Bike Boulevard Network would be designed to support families and young students wanting to reach schools, parks, and community amenities on quiet streets with low traffic volumes.

3.3.1.4 *Spot Improvements/Other Agency Coordination/Studies*

A series of spot improvements are proposed in locations throughout the City to address specific biking challenges as shown in Table 3.0-3 below. The proposed bikeways that could affect state roadway facilities such as I-280 and SR-85, would require coordination with Caltrans during project design. Some of the recommended improvements to the bicycle network include studying a bicycle/pedestrian bridge over Stevens Creek Boulevard, adding green paint to freeway on-ramp and

off-ramp crossings through coordination with Caltrans, and the reconfiguration of intersections to allow for bike travel. Coordination with the Santa Clara Valley Water District (SCVWD) may be required for bikeways along creeks. Table 3.0-3 below lists the recommended spot improvements for the project.

Table 3.0-3: Recommended Spot Improvements

Location	Cross Street	Project Category
Greenleaf Dr.	Mariani Ave.	Reconfigure wall/fence
Portal Ave.	Wheaton Dr.	Configure Intersection
Stevens Creek Blvd.	Stelling Rd.	Configure Intersection
Bubb Rd.	Union Pacific Railroad Path	Trail Crossing
McClellan Rd.	Union Pacific Railroad Path	Trail Crossing
Wheaton Dr.	Perimeter Rd.	Reconfigure wall/fence
Wolfe Rd.	Stevens Creek Blvd.	Configure Intersection
Stelling Rd.	Rainbow Dr.	Configure Intersection
McClellan Rd.	Westacres Dr./Kim St	Configure Intersection
Blaney Ave.	Wheaton Dr.	Configure Intersection
Wolfe Rd.	I-280 Overpass	Freeway interchange enhancement
De Anza Blvd.	I-280 Overpass	Freeway interchange enhancement
De Anza Blvd.	Hwy 85 Overpass	Freeway interchange enhancement
Stevens Creek Blvd.	Hwy 85 Overpass	Freeway interchange enhancement
McClellan Rd.	Stelling Rd.	Configure Intersection
McClellan Rd.	Rose Blossom Dr.	Configure Intersection
Imperial Ave.	Alcazar Ave.	Reconfigure wall/fence
Stelling Rd.	Alves Dr.	Configure Intersection
Mary Ave Ped Bridge	I-280	Bike/Ped Bridge Enhancement
De Anza Blvd.	McClellan Rd.	Configure Intersection
Stevens Creek Blvd.	De Anza Blvd.	Configure Intersection
Infinite Loop	Merritt Dr.	Configure Intersection
Homestead Rd.	Mary Ave.	Trail Crossing

In addition, implementation of a rail-with-trail facility within UPRR right-of-way would require coordination with and the acquisition of easements from the railroad. Spot improvements intended to address bicycling mobility that require parking lane removal, parking removal, or road diets to accommodate the recommended treatment may require specific studies to determine whether impacts different or greater than identified in this Initial Study could occur. If there is a potential for such impacts, further environmental review may be required.

3.3.1.5 *Infrastructure Recommendations*

The following recommendations could be incorporated into the project as facilities are constructed.

Bicycle Wayfinding Program: The proposed Bicycle Wayfinding Program would install a series of informational signs conveying routes and distances to key community destinations by bicycle such as schools, parking, regional trails, landmarks, and civic buildings. The wayfinding program would expand upon existing signage to create a more comprehensive informational network for bicyclists.

Bicycle Detection: The project proposes the implementation of passive detection mechanisms at all signalized intersections to provide safer bicycle crossing at intersections throughout the City.

Bicycle Parking: The project proposes updating the bicycle parking ordinance requiring bike parking choices at all new major development including parks, schools, public facilities, commercial/retail and industrial developments, shopping centers, and transit stations.

3.3 STORMWATER OUTFALLS AND STORM DRAINAGE

The majority of proposed bikeways would be located on existing streets and public right-of-ways that direct stormwater into existing storm drains. In areas where new bikeway reaches would be constructed on unpaved surfaces, the bikeways would be constructed with porous paving and be sloped towards bio-treatment areas. Stormwater treatment measures to be implemented would be consistent with the Santa Clara Valley Stormwater Municipal Permit's C.3 provisions and handbook and the City's Climate Action Plan. These would include:

- Installing self-treating and self-retaining areas in bio-treatment areas such as bioretention and rain garden landscaped areas; and
- Reducing impervious surfaces by utilizing permeable/pervious/porous pavements.

The project would implement pre- and post-construction-related measures to conform to the City of Cupertino's Municipal Code Chapter 9.18. A discussion of the best management practices to be implemented can be found in *Section 4.9, Hydrology and Water Quality.*

3.4 RIPARIAN MITIGATION

The Bicycle Transportation network would be constructed to minimize impacts to biologically sensitive areas including riparian corridors. For the Class I facilities proposed along Stevens Creek, Regnart Creek, Saratoga Creek, and San Tomas-Aquino Creek the IS discusses potential impacts to biologically sensitive areas and identifies mitigation measures to reduce impacts to a less than significant level, as appropriate.

Pre-construction surveys for nesting raptors will be required in biologically-sensitive habitats suitable for these species where Class I facilities are proposed as discussed further in *Section 4.4.2.1*. These pre-construction surveys will be conducted to determine the presence of such species on or near the project area and will be used to identify mitigation measures, as appropriate.

3.5 IMPLEMENTATION SCHEDULE

The project would be implemented within the timeframe of the City's General Plan, *Community Vision 2015-2040* and as funding becomes available. Individual private development projects in proximity to planned network improvements/extensions may be conditioned to contribute towards construction.

3.6 CONSISTENCY WITH ZONING, PLANS, AND OTHER APPLICABLE LAND USE CONTROLS

3.6.1 Land Use & Zoning Designation

The project network is consistent with the land use designations in the City of Cupertino's General Plan and is consistent with zoning throughout its segments in the City.

3.6.2 Property and Easement Acquisitions

The project would be implemented on existing streets and along unpaved public right-of-ways to the extent practical. Any proposed improvements that would result in the taking of private property and/or easements could be required to undergo further environmental review prior to project construction.

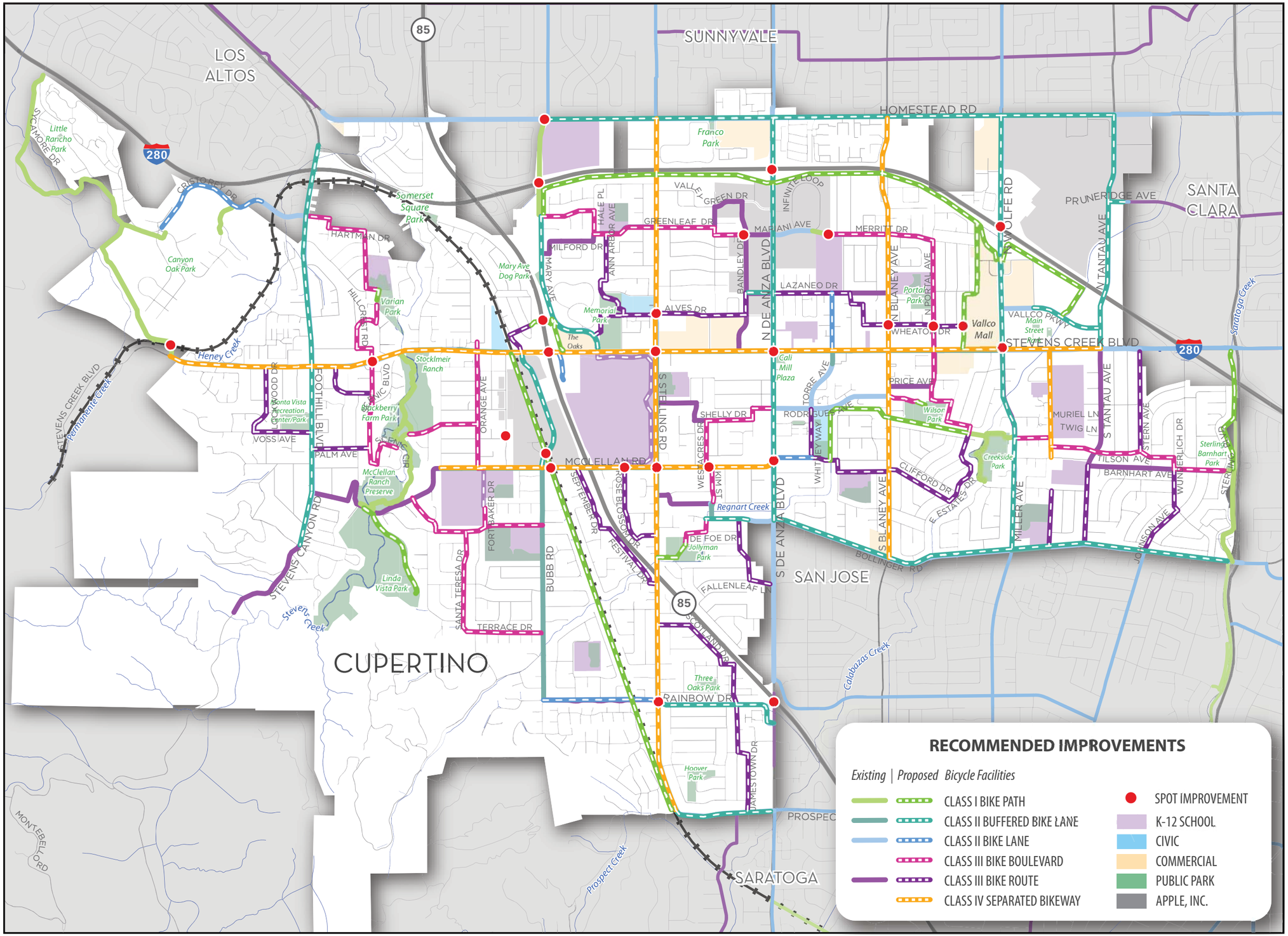
3.7 PURPOSE AND NEED

The proposed project is an update to the Bicycle Transportation Plan contained in the City's General Plan. The purpose of the Plan is to evaluate the existing bicycle network in the City in terms of safety, quality (how much stress a bicyclist experiences traveling on the existing bicycle network), and community-identified needs. Updating the Bicycle Plan also enables the City to apply for grants and other funding opportunities as they arise. The following themes were identified during community involvement exercises and preparation of the Plan:

1) Plan a Low Stress Bicycle Network;
2) Construct a Trail along the Union Pacific Right-of-Way;
3) Improve Intersections;
4) Provide Bicycle Parking;
5) Expand the Safe Routes to Schools Program; and
6) Provide Education for Bicyclists and Drivers.

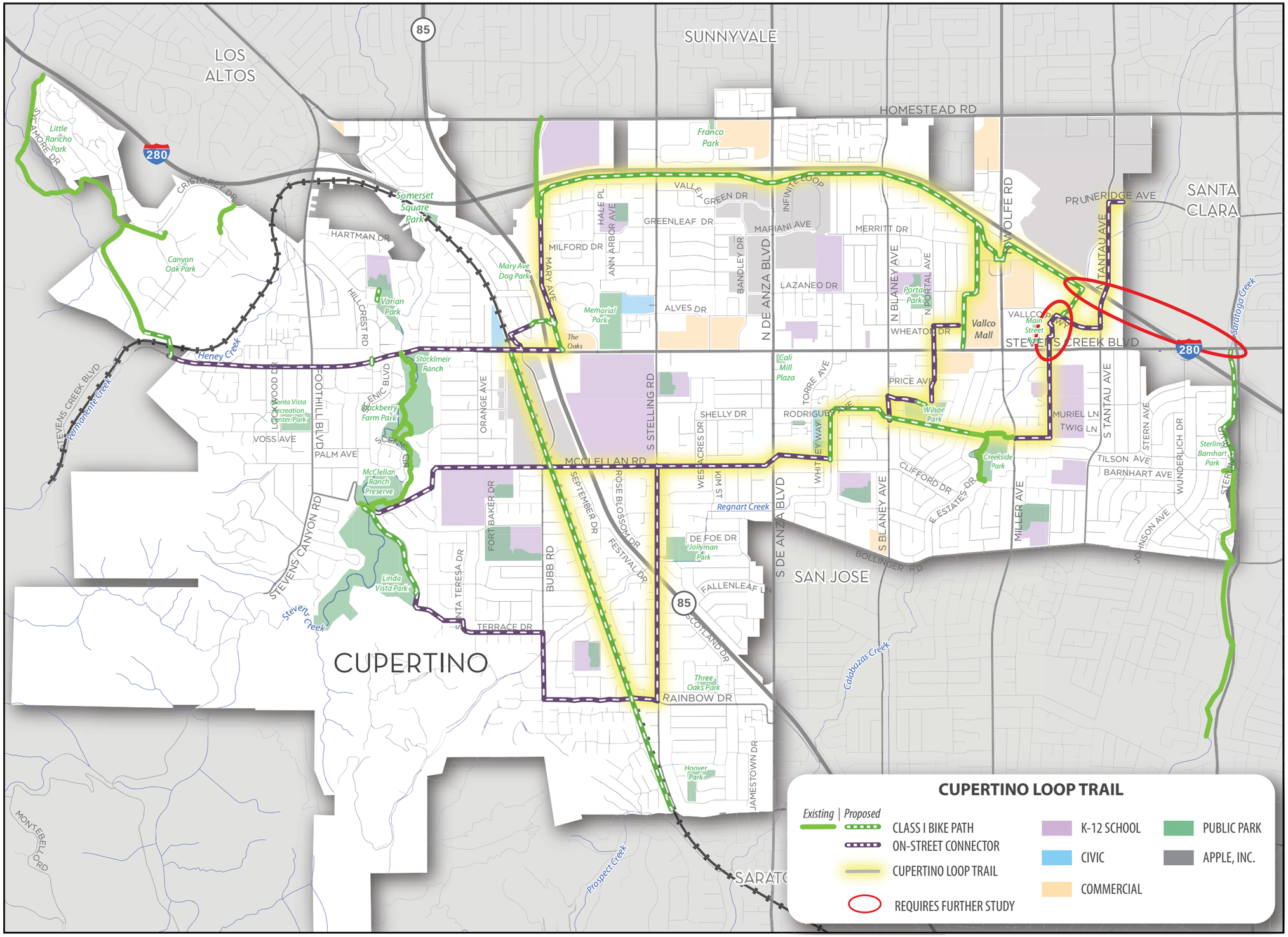
Infrastructure recommendations were also identified to support and promote bicycling in Cupertino. These recommendations include a Bicycle Wayfinding Program, Bicycle Detection at Intersections, and Bicycle Parking, including types and locations, as previously described in Section 3.3.1.5.

This Initial Study is intended to provide programmatic CEQA environmental clearance for the Bicycle Plan as a whole. Projects were divided into Class I, Class II, Class III, and Class IV facilities. Project-level clearance (further environmental review is not required), is provided for all of the Class III projects identified in Table 3.0-1. It is also intended that all Class II projects can be constructed without further environmental review, provided additional studies related to e.g., parking, reconstructed medians, buffered bike lanes, and intersection re-striping are prepared and it is determined that these components would not result in additional or greater environmental effects than described in this Initial Study. Class I and Class IV projects may require further environmental review depending on locations and environmental conditions.



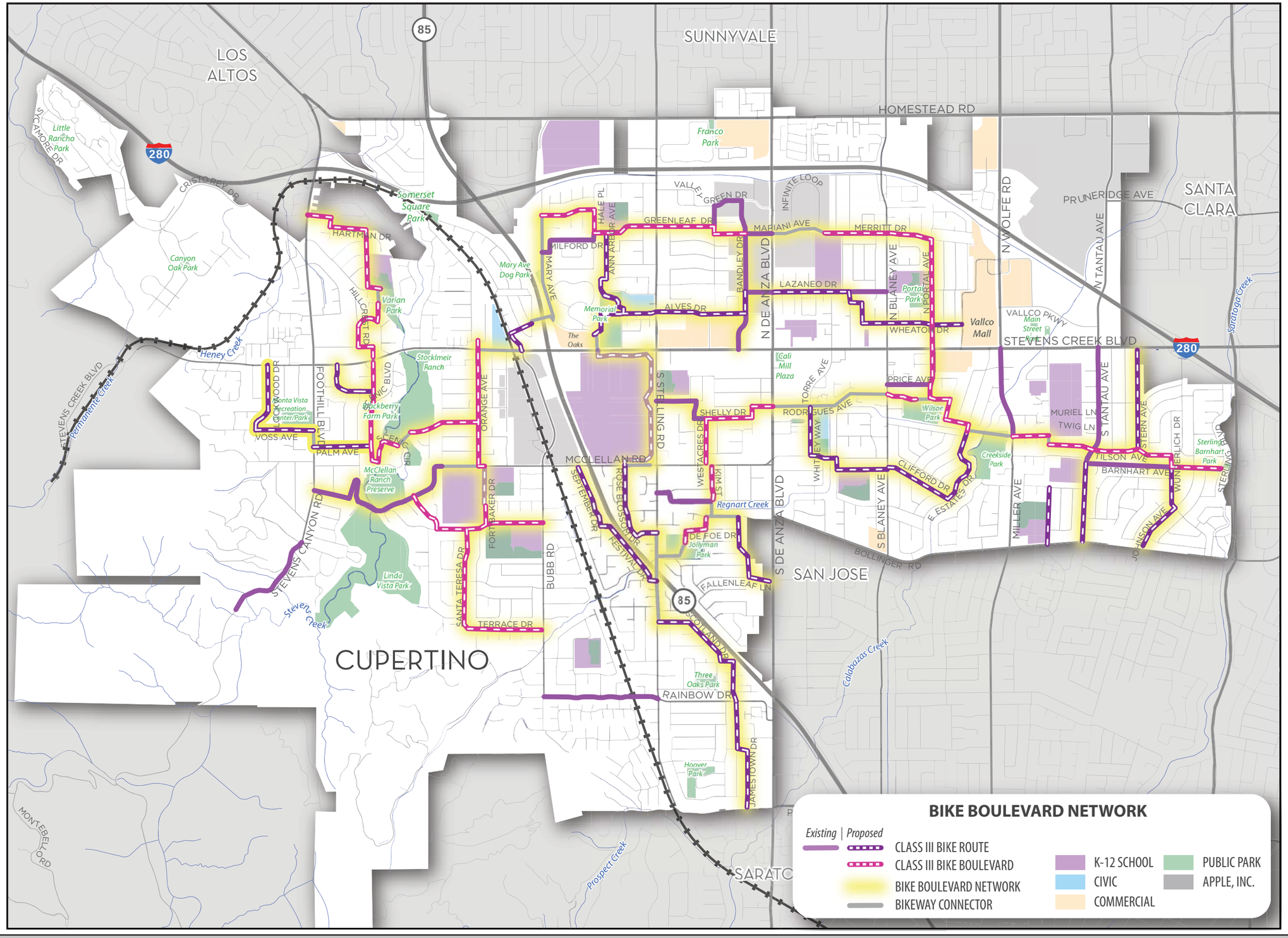
BICYCLE NETWORK RECOMMENDATIONS

FIGURE 3.1-1



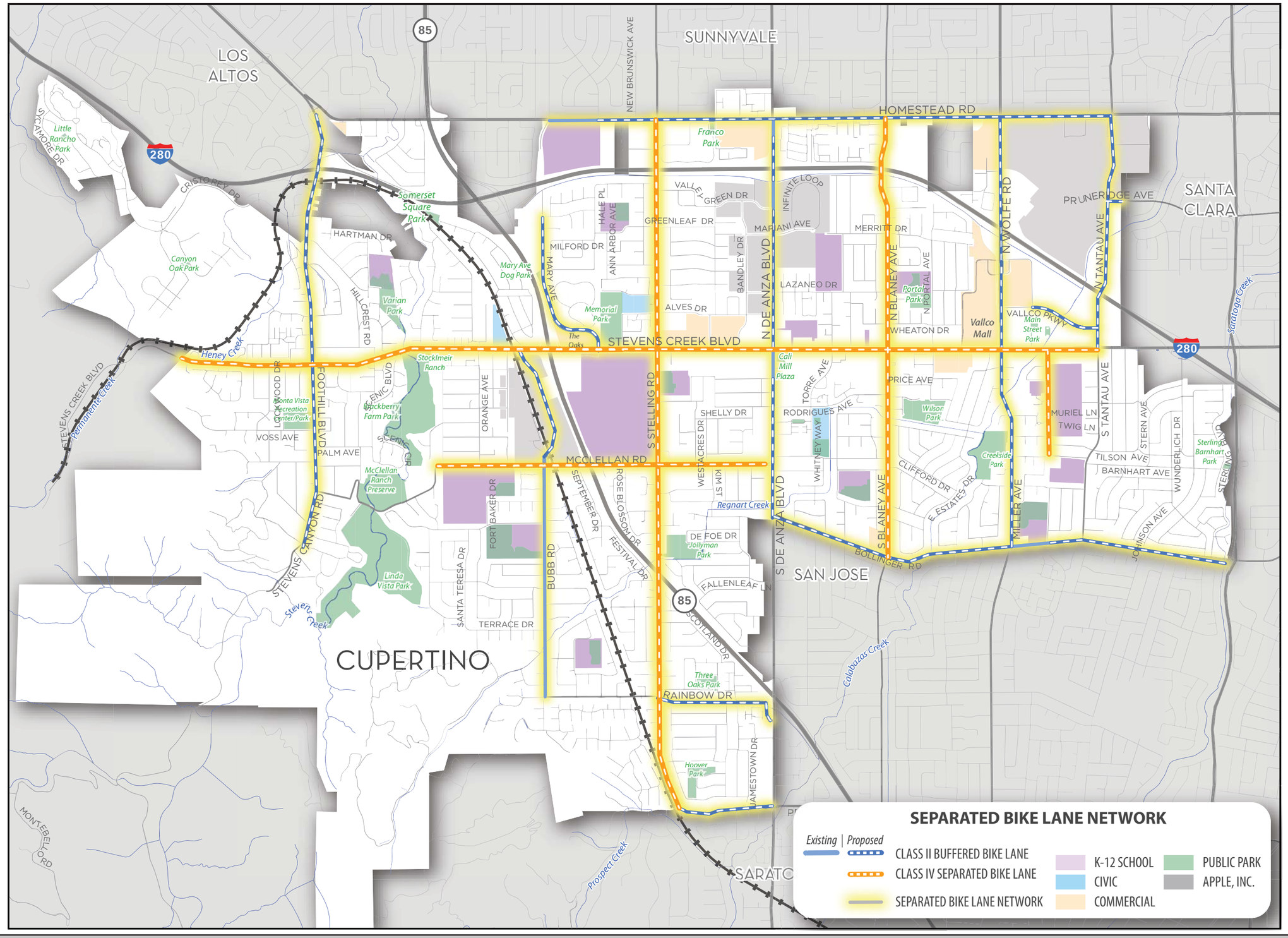
CUPERTINO LOOP TRAIL ALIGNMENT

FIGURE 3.1-2



PROTECTED BIKE BOULEVARD NETWORK

FIGURE 3.1-3



PROTECTED BIKE LANE NETWORK

FIGURE 3.1-4

SECTION 4.0 SETTING, ENVIRONMENTAL CHECKLIST, AND IMPACTS

This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented.

The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section. Mitigation measures are identified for all significant project impacts. Mitigation Measures are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guideline 15370). Standard measures that are included in the project to further reduce or avoid already less than significant impacts are categorized as "Standard Permit Conditions."

Important Note to the Reader: The California Supreme Court in a December 2015 opinion [*California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 (No. S 213478)] confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Cupertino currently has policies that address existing conditions (e.g., noise) affecting a proposed project, which are also addressed in this Initial Study. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an "environmental impact" as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this chapter will discuss "planning considerations" that relate to City policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

4.1.1 Setting

4.1.1.1 *Visual Character*

The City of Cupertino is an urbanized area developed primarily with a mix of uses, including single- and multi-family residential, office, public/quasi-public (schools and parks), and commercial. The majority of the planned bicycle facilities would be constructed on existing city streets; however, bikeways in parks, and along existing highways, creeks, and the Union Pacific Railroad tracks are also planned. The parks are typically grass-covered with trees, trails, pathways, and picnic areas. The creeks are both concrete-lined and in their natural condition. The Union Pacific Railroad, Interstate 280, and Highway 85 (SR-85) right-of-ways are highly disturbed.

There are a number of mature and young trees located throughout the City. Representative photos of some of the bikeway locations and facilities are provided in Photos 1-3 on the following pages. Photo 4 shows an example of an existing Class II bikeway in Cupertino to illustrate the extent of such projects.

4.1.1.2 *Scenic Views*

The Montebello foothills at the south and west boundaries of the valley floor provide a scenic backdrop to the City of Cupertino. The central portion of the City is flat for the most part and views of the foothills from the proposed bikeways are obscured by existing buildings and/or trees. Neither Highway 85 nor Interstate 280 in Cupertino are designated scenic highways.

Photos 1 and 2

Photo 1: View of Stevens Creek Blvd. looking west through the intersection with De Anza Blvd. A Class IV Protected Bikeway is proposed along this alignment.

Photo 2: Proposed location for a spot improvement (intersection reconfiguration) at De Anza Blvd./McClellan Rd. intersection looking south.

Photos 3 and 4

Photo 3: Proposed Class IV Protected Bikeway on McClellan Rd. from Byrne Ave. to De Anza Blvd. looking east.

Photo 4: Class II Bikeway along McClellan Rd. at McClellan/Bubb Rd. intersection looking east.

4.1.2 Environmental Checklist and Discussion of Impacts

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

Aesthetic values are, by nature, very subjective. Opinions as to what constitutes a degradation of visual character will differ among individuals. The proposed bike facilities, the majority of which would be painted on streets, would be visible from adjacent land uses. The following discussion addresses the proposed changes to the visual setting of the project area and factors that are part of the community's assessment of the aesthetic values of a project's design.

4.1.2.1 *Impacts to Scenic Views or Scenic Resources*

The proposed bikeways would be located in a highly developed area on the floor of the Santa Clara Valley. Scenic resources, including state scenic highways would not be affected. For these reasons, the proposed project would not have a direct adverse effect on a scenic vista or damage scenic resources. **(No Impact)**

Scenic views from the immediate project vicinity are limited. The Montebello foothills to the south of the City are largely obscured by existing development and trees. Any proposal that includes an elevated bicycle/pedestrian bridge would require additional review of potential visual impacts. Implementation of the proposed project would not substantially block scenic views and is not anticipated to have a substantial effect on a scenic vista. **(Less Than Significant Impact)**

4.1.2.2 *Changes in Visual Character*

The project proposes to implement the Bicycle Transportation Plan within the City. Most of the improvements would be completed on-street within existing right-of-ways. A minimal number of trees would be removed to construct the bikeways and replacement trees would be planted in most locations per City Municipal Code to reduce potential visual impacts and preserve the existing character of the project locations.

For these reasons and those stated above, implementation of the Bicycle Transportation Plan would have a less than significant impact on the visual character of areas adjacent to the proposed alignments. **(Less Than Significant Impact)**

4.1.2.3 *Light and Glare Impacts*

The proposed bikeways would be located along lighted streets and are not expected to include a substantial amount of new lighting. Facilities along creeks that include lighting would be designed to minimize impacts by orienting lighting away from creek environs. Similarly, improvements that include elevated bikeways over state highway facilities would be designed according to Caltrans design criteria pertaining to lighting. Further study of these locations would be required prior to construction of any creek bikeways or improvements that could affect state highway facilities. **(Less Than Significant Impact)**

4.1.3 Conclusion

Implementation of the proposed project would not result in significant visual or aesthetic impacts. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FOREST RESOURCES

4.2.1 Setting

4.2.1.1 *Agricultural Resources*

The Santa Clara County Important Farmland 2012 map designates most of the City of Cupertino as *Urban and Built-Up Land*. *Urban and Built-Up Land* is defined as residential land with a density of at least six units per 10-acre parcel, as well as land used for industrial and commercial purposes, golf courses, landfills, airports, sewage treatment, and water control structures.

The project alignments are not zoned or used for agricultural purposes, nor are they the subject of Williamson Act contracts.[2] The alignments and spot treatment locations are within an urban area of Cupertino.

4.2.1.2 *Forest Resources*

The proposed alignments are not classified as forest land or timberland. There is no forest land or timberland located in the City of Cupertino.

4.2.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☐	☐	☒	4
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	2,4
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))?	☐	☐	☐	☒	2
4. Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	2

[2] California Department of Conservation, Division of Land Resource Protection. *Santa Clara County Williamson Act FY 2013/2014.* 2013.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☐	☐	☒	1,2

4.2.2.1 *Agricultural Resources Impact*

The project improvements, most of which are on existing City streets, are not designated, zoned, or used as farmland or for agricultural purposes. Therefore, the proposed project would not convert farmland to non-agricultural use, or otherwise result in impacts to agricultural resources. **(No Impact)**

4.2.2.2 *Forest Resources Impact*

There are no forest resources in the City of Cupertino. Therefore, the proposed project would not impact forest resources. **(No Impact)**

4.2.3 Conclusion

Implementation of the proposed project would not result in significant impacts to agriculture or forestry resources. **(No Impact)**

4.3 AIR QUALITY

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless, the City has policies that address existing conditions (e.g. air quality) affecting a proposed project, which are described in *Section 4.3.2.2,* below.

4.3.1 Setting

Clean air is a natural resource of vital importance. Pollutants in the air can cause health problems, especially for children, the elderly, and people with heart or lung problems. Healthy adults may experience symptoms during periods of intense exercise. Pollutants can also cause damage to vegetation, animals, and property.

4.3.1.1 *Climate and Topography*

The City of Cupertino is located in the Santa Clara Valley within the San Francisco Bay Area Air Basin. The City is located in proximity to both the Pacific Ocean and the San Francisco Bay, which has a moderating influence on the climate. This portion of the Santa Clara Valley is bounded to the north by the San Francisco Bay and the Santa Cruz Mountains to the southwest. The surrounding terrain greatly influences winds in the valley, resulting in a prevailing wind that follows along the northwest-southeast axis of the valley.

4.3.1.2 *Regional and Local Criteria Pollutants*

Major criteria pollutants listed in "criteria" documents by the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter (PM). These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms.

The Bay Area is currently designated as an "attainment area," meaning the area meets the relevant standards for carbon monoxide, nitrogen dioxide, and sulfur dioxide. The region is classified as a "nonattainment area" for both the federal and state ozone standards, although a request for reclassification to "attainment" of the federal standard is currently being considered by the USEPA. The area does not meet the state standards for particulate matter (PM_{10} and $PM_{2.5}$).

4.3.1.3 *Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter*

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). These contaminants tend to be localized and are found in relatively low concentrations in ambient air; however, exposure to low concentrations over long periods can result in adverse chronic health effects.

Fine Particulate Matter ($PM_{2.5}$) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to $PM_{2.5}$ can cause a wide range of health effects.

Common stationary source types of TACs and $PM_{2.5}$ include gasoline stations, dry cleaners, and diesel backup generators which are subject to permit requirements. The other, often more significant, common source is motor vehicles on freeways and roads.

4.3.1.4 *Regulatory Framework*

Clean Air Plan

The City of Cupertino is under the jurisdiction of the San Francisco Bay Area Air Quality Management District (BAAQMD). BAAQMD is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act of 1988 and its subsequent amendments).

Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state standards would be met. The most recent Clean Air Plan is the *Bay Area 2010 Clean Air Plan* (2010 CAP) that was adopted by BAAQMD in September 2010. This plan includes a comprehensive strategy to reduce emissions from stationary, area, and mobile sources. The 2010 CAP provides an updated comprehensive plan to improve Bay Area air quality and protect public health, taking into account future growth projects to 2035. Some of these measures or programs rely on local governments for implementation. The 2010 CAP also includes measures designed to reduce greenhouse gas emissions.

4.3.1.5 *Sensitive Receptors*

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (e.g., children, the elderly, and the acutely and chronically ill) are likely to be located. These land uses include residences, school playgrounds, child-care centers, retirement homes, convalescent homes, hospitals, and medical clinics. Project alignments would abut sensitive land uses including residential areas and schools including Monta Vista High School, Cupertino High School, Hyde Middle School, John F. Kennedy Middle School, Lawson Middle School, William Faria Elementary School, Eaton Elementary School, and Sedgwick Elementary School (refer to Figure 3.1-1: Bikeway Map).

4.3.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	1, 6
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,2

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1
4. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	1
5. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1

4.3.2.1 *Project-Level Significance Thresholds*

The thresholds of significance for criteria air pollutants are a net increase of 54 pounds or more per day of reactive organic gas (ROG), nitrous oxide (NO_X), and/or $PM_{2.5}$; or 82 pounds or more a day of PM_{10}. These thresholds are based on thresholds identified by BAAQMD in 2011.[3]

The BAAQMD *CEQA Air Quality Guidelines* recommend that projects be evaluated for community risk when they are located within 1,000 feet of freeways, high traffic volume roadways (10,000 average annual daily trips or more), and/or stationary permitted sources of TACs. The thresholds for TACs are an increased cancer risk of greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or a $PM_{2.5}$ increase of 0.3 $\mu g/m^3$.

4.3.2.2 *Clean Air Plan Consistency*

Determining consistency with the 2010 CAP involves assessing whether applicable control measures contained in the 2010 CAP are implemented. Implementation of control measures improve air quality and protect public health. These control measures are organized into five categories: Stationary Source Measures, Mobile Source Measures, Transportation Control Measures (TCMs), Land Use and Local Impact Measures, and Energy and Climate Measures. Applicable control measures and the project's consistency with them are summarized in Table 4.3-1, below.

[3] As previously discussed in Section 4.0, on December 17, 2015, the California Supreme Court issued an opinion in *"CBIA vs. BAAQMD"* holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project's future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations that address existing conditions affecting a proposed project, which are included in Section 4.3.2.2.

The City has carefully considered the thresholds prepared by BAAQMD and the recent court ruling, and regards the thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. Therefore, the analysis in this Initial Study is based upon the methodologies and thresholds in the BAAQMD CEQA Air Quality Guidelines.

The project supports the primary goals of the CAP in that it does not exceed the BAAQMD thresholds for operational air pollutant emissions and would reduce vehicle trips in the City. The project would not hinder the implementation of the CAP control measures and would not conflict with or obstruct implementation of the 2010 CAP. Therefore, the project would not conflict with or obstruct implementation of the CAP. **(Less Than Significant Impact)**

Table 4.3-1: Bay Area 2010 Clean Air Plan Applicable Control Measures

Control Measures	Description	Project Consistency
Transportation Control Measures		
Improve Bicycle Access and Facilities	Expand bicycle facilities serving transit hubs, employment sites, educational and cultural facilities, residential areas, shopping districts, and other activity centers.	The project is the implementation of the planned Bicycle Transportation Network which would provide 48.40 miles of bikeways and pedestrian facilities throughout the City.
Improve Pedestrian Access and Facilities	Improve pedestrian access to transit, employment, and major activity centers.	Pedestrian facilities are comprised of sidewalks, crosswalks, and pedestrian signals at all nearby intersections. The project would enhance existing pedestrian facilities and create new facilities to provide better access to parks, schools, and other community amenities.
Support Local Land Use Strategies	Promote land use patterns, policies, and infrastructure investments that support mixed-use, transit-oriented development that reduce motor vehicle dependence and facilitate walking, bicycling, and transit use.	The project is the implementation of the Bicycle Transportation Network, which would provide 48.40 miles of bikeways and pedestrian facilities throughout the City thereby reducing motor vehicle dependence and encouraging alternative modes of transportation.
Energy and Climate Measures		
Energy Efficiency	Increase efficiency and conservation to decrease fossil fuel use in the Bay Area.	The project would decrease fossil fuel use in the Bay Area by providing residents with bikeway and pedestrian facilities to encourage alternative commute patterns to City destinations.
Urban Heat Island Mitigation	Mitigate the "urban heat island" effect by promoting the implementation of cool roofing, cool paving, and other strategies.	Not applicable.
Tree-Planting	Promote planting of low-VOC-emitting shade trees to reduce urban heat island effects, save energy, and absorb CO_2 and other air pollutants.	The project would replace removed trees in accordance with the City of Cupertino's Tree Ordinance.

4.3.2.3 *Short-Term Construction-Related Impacts*

Project construction activities would be minimal, if at all, and would marginally affect local air quality during the construction period. Class I facilities have the potential to result in construction

activities including earthmoving, construction vehicle traffic, and wind blowing over exposed earth. Class II, III, and IV facilities are not expected to result in such construction activities. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and contribute to the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

Construction Dust Emissions

Construction dust could affect local air quality at various times during construction of some bikeways. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere. Construction activities, particularly during site area preparation, grading, and excavation, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$, however, these activities are not expected as part of the construction of Class II, III and IV bikeway facilities. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the project area would deposit mud on local streets, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather and soil conditions. If not controlled, construction dust could result in a significant air quality impact.

Consistent with BAAQMD's Basic Construction Measures, the proposed project would include the following Best Management Practices to be implemented by the construction contractor to reduce air pollutant emissions to avoid any significant impacts to local air quality:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

4. All vehicle speeds on unpaved roads shall be limited to 15 mph.

5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible after grading unless seeding or soil binders are used.

6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The contractor shall also implement the following measures, as appropriate, consistent with BAAQMD's additional construction mitigation measures recommended for projects with construction emissions above the threshold:

1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.

2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.

4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.

6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways and creeks from sites with a slope greater than one percent.

9. Minimizing the idling time of diesel powered construction equipment to two minutes.

10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

11. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).

12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.

13. Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

Additional measures are included to reduce localized construction equipment exhaust emissions:

1. All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent; and

2. All portable diesel-powered off-road equipment (e.g., air compressors) operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.

Note that the construction contractor could use other measures to minimize construction period DPM emissions. Such measures may be the use of alternative powered equipment (e.g., LPG-powered lifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of measures.

The BAAQMD basic and additional construction mitigation measures to reduce air pollutant and construction equipment exhaust emissions are included in the project to avoid and/or reduce any impacts to local air quality. **(Less Than Significant Impact)**

Construction TAC and $PM_{2.5}$ Health Risks

Construction equipment and heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Diesel exhaust poses both a health and nuisance impact to nearby receptors. Given that the Class II, III, IV and spot improvements would occur along existing right-of-ways and would require minimal construction, if at all, construction TACs would not be generated long enough to result in human health risks. Class I facilities may require more study to determine TAC impacts, depending on the extent of construction. If it is determined that construction TAC impacts could be significant further environmental review would be required. **(Less Than Significant Impact)**

4.3.2.4 *Operational-Related Impacts from the Project*

The project is the implementation and construction of approximately 48.40 miles of bicycle and pedestrian facilities throughout the City of Cupertino. Operational use of the project would decrease automobile use and would, therefore, be considered a beneficial air quality impact. **(No Impact)**

4.3.2.5 *Odors*

The project does not propose a use that would generate objectionable odors. **(No Impact)**

4.3.3 Conclusion

Implementation of the proposed project would not result in significant air quality impacts. **(Less Than Significant Impact)**

4.4 BIOLOGICAL RESOURCES

4.4.1 Setting

The proposed Class II, III, IV bicycle facilities and spot improvements would be constructed on existing city streets; however, bikeways in parks, and along existing highways, creeks, and the Union Pacific Railroad tracks are also planned. For the Class I and bicycle/pedestrian overcrossing facilities proposed along creeks and currently unpaved surfaces, further environmental study may be needed prior to project implementation.

4.4.1.1 *Regulatory Framework*

Special Status Species

A summary of applicable special status species regulations are provided below.

Threatened and Endangered Species

State and federal "endangered species" legislation has provided CDFW and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Species listed as threatened or endangered under provisions of the state and federal Endangered Species Acts (ESAs), candidate species for such listing, state species of special concern, and some plants listed as endangered by the California Native Plant Society (CNPS) are collectively referred to as "species of special status."

Permits may be required from both the CDFW and USFWS if activities associated with a proposed project will result in the take of a listed species. To "take" a listed species, as defined by the state of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" said species (California Fish and Game Code, Section 86). "Take" is more broadly defined by the federal Endangered Species Act to include "harm" of a listed species (16 USC, Section 1532(19), 50 CFR, Section 17.3).

Migratory Birds

State and federal laws protect most bird species. The Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., scc. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Birds of Prey

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code, Section 3503.5, (1992), which states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental

loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a "taking" by the CDFW.

Trees

The Class II and III facilities and spot improvements proposed would be completed on-street within existing right-of-ways. Trees are not located within these right-of-ways, but could be located adjacent to creeks and within parks.

4.4.1.2 *On-Site Conditions*

The City of Cupertino is an urbanized area with a diversity of land uses. The project would be built on existing right-of-ways that are adjacent to residential, commercial, industrial uses, parks, and open space uses. Habitats in developed urban areas are relatively low in species diversity. Species that use this habitat are urban and suburban adapted birds, such as rock dove, mourning dove, house sparrow, scrub jay, and starling.

4.4.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐	1
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 US Fish and Wildlife Service?	☐	☐	☒	☐	1
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?	☐	☐	☒	☐	1
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, impede the use of native wildlife nursery sites?	☐	☐	☒	☐	1

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	1, 2
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?	☐	☐	☐	☒	1, 2

The project is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.4.2.1 *Impacts to Special-Status Species*

Special-Status Plant Species

Developed sites in urban areas typically do not support special-status plant species. Proposed Class I bicycle facilities along creeks and drainage canals that would require paving may remove native vegetation and could need further environmental review prior to construction. For the remainder of the proposed bicycle facilities and spot improvements on existing streets and right-of-ways, project components would not result in significant impacts to special-status plant species. **(No Impact)**

Special-Status Animal Species and Species Protected Under the Migratory Bird Treaty Act

Given that the majority of the project would be constructed on existing right-of-ways that lack suitable habitat for many special-status animal species, the project is not anticipated to result in impacts to special-status animal species with the possible exception of tree nesting raptors or other nesting birds in areas that are currently unpaved. Class I and IV facilities and bicycle/pedestrian overcrossings could result in direct impacts to nesting birds if trees are to be removed; however, these project segments would need further environmental review. Mitigation measures would be identified during the environmental process for Class I facilities, as necessary.

While creeks can serve as migration corridors, the creeks in the project area are urban in nature with little migration qualities (significant water levels and vegetation, e.g.). The implementation of the proposed project would therefore, not substantially interfere with the movement of native wildlife species. **(Less Than Significant Impact)**

4.4.2.2 *Impacts to Riparian Habitat*

Class I facilities are proposed along Stevens Creek, Regnart Creek, Saratoga Creek, and San Tomas-Aquino Creek. Construction of these bikeway facilities may result in the loss of riparian habitat along these waterways. Further environmental study would be necessary to determine if the

proposed bikeway facilities would result in the removal of riparian habitat or native riparian species in the project area. Mitigation measures could include the acquisition and maintenance of replacement habitat.

4.4.2.2 *Impacts to Trees*

Class II, III, and IV facilities would be constructed on existing right-of-ways that lack vegetation and trees. The Class II, III, and IV facilities proposed would not remove trees as part of implementation. Proposed Class I facilities and bicycle/pedestrian overcrossings that would result in tree removal would need further environmental review prior to project approval. All other proposed facilities would have a less than significant impact to trees. **(Less Than Significant Impact)**

4.4.3 Conclusion

The project would not impact a local habitat conservation plan. Implementation of the proposed project would have a less than significant impact on riparian habitat, riparian species, migration corridors, and trees. **(Less Than Significant Impact)**

4.5 CULTURAL RESOURCES

4.5.1 Setting

Cultural resources are evidence of past human occupation and activity and include both historical and archaeological resources. These resources may be located above ground, underground, or underwater and have significance in history, prehistory,[4] architecture or culture of the nation, State of California, or local or tribal communities. Cultural resources are generally identified in historic or cultural resources inventories maintained by the county or local cities or towns, and also on the California Register of Historical Resources (California Register) and the National Register of Historic Places (National Register).

Heritage trees are considered cultural resources in the City of Cupertino and are recognized as a cultural resource in the General Plan. As defined in the Protected Trees Ordinance (Section 14.18.020), a Heritage tree is any tree or grove of trees which, because of factors including, but not limited to, its historic value, unique quality, girth, height or species, has been found by the Planning Commission to have a special significance to the community.

Paleontological resources are fossils; the remains or traces of prehistoric life preserved in the geological record. They range from well-known and well publicized fossils (such as mammoth and dinosaur bones) to scientifically important fossils (such as paleobotanical remains, trace fossils, and microfossils). Potentially sensitive areas with fossil bearing sediments near the ground surface in areas of Santa Clara County are generally in or adjacent to foothill areas rather than the younger Holocene age deposits on the valley floor. Geologic units of the Holocene age are generally not considered sensitive for paleontological resources, because biological remains younger than 10,000 years are not usually considered fossils. The project area is located on the valley floor and most likely contains geologic units of Holocene age; therefore, it is highly unlikely that the project area contains any paleontological resources.

4.5.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☐	☐	☒	1,2
2. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☒	☐	☐	1
3. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☒	☐	☐	1

[4] Events of the past prior to written records are considered prehistory.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
4. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	1

4.5.2.1 *Prehistoric, Historic, and Paleontological Resources*

Construction of Class II, III, and IV bicycle facilities would primarily occur along right-of-ways and would not include the removal of or impacts to identified historical resource or a site recognized in the Cupertino General Plan as a Historic Site or Commemorative Site. Therefore, implementation of the proposed project would have no impact to historic resources in the City of Cupertino. **(No Impact)**

While highly unlikely, buried prehistoric or historic deposits which could provide information on prehistory or the history of this site, its inhabitants, and the role it played in the development of the City could be encountered during construction activities for Class I facilities that involve subsurface grading.

Impact CUL-1: Implementation of the Class I facilities included in the proposed project could result in significant impacts to buried cultural resources, if encountered. **(Significant Impact)**

Mitigation Measures: As a condition of approval, the proposed Class I facilities shall implement the following mitigation measures to reduce impacts to cultural resources to a less than significant level:

MM CUL-1.1: In the event of the discovery of prehistoric or historic archaeological deposits or paleontological deposits, work shall be halted within 50 feet of the discovery and a qualified professional archaeologist (or paleontologist, as applicable) shall examine the find and make appropriate recommendations regarding the significance of the find and the appropriate mitigation. The recommendation shall be implemented and could include collection, recordation, and analysis of any significant cultural materials.

MM CUL-1.2: Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:

- In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition

of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

MM CUL-1.3: If cultural resources are encountered, a final report summarizing the discovery of cultural materials shall be submitted to the Director of Public Works prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented (e.g., monitoring and testing program), a list of the resources found, a summary of the resources analysis methodology and conclusion, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the Director Public Works.

4.5.3 Conclusion

Implementation of the proposed project would not impact historic resources. **(No Impact)**

Impact CUL-1: The proposed project, with the implementation of the mitigation measures MM CUL-1.1, MM CUL-1.2, and MM CUL-1.3 would not result in significant impacts to subsurface cultural or paleontological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

4.6 GEOLOGY AND SOILS

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless, the City has policies that address existing conditions (geologic hazards) affecting a proposed project, which are described in *Section 4.6.2.2,* below.

4.6.1 Setting

Geology and Soils

The City of Cupertino is located in the western portion of the Santa Clara Valley and lower portion of the Santa Cruz Mountain foothills. The Santa Clara Valley is located within the Coast Ranges geomorphic province of California; an area characterized by northwest-trending ridges and valleys, underlain by strongly deformed sedimentary and metamorphic rocks of the Franciscan Complex. Overlying these rocks are sediments deposited during recent geologic times. The Santa Clara Valley consists of a large structural basin containing alluvial deposits derived from the Diablo Range to the east and the Santa Cruz Mountains to the west. Valley sediments were deposited as a series of coalescing alluvial fans by streams that drain the adjacent mountains. These alluvial sediments make up the groundwater aquifers of the area. Soil types at the project site include clay, similar to other low-lying areas of the City. Soil on-site has a moderate to high potential for expansion.[5]

Seismicity and Seismic Hazards

The City of Cupertino is located within the San Francisco Bay Area, which is classified as Zone 4, the most seismically active zone in the United States. The Monta Vista and San Andreas Faults are south of the City.

Hazards associated with seismic activity along regional and local faults include fault rupture, ground shaking, liquefaction, differential settlement, landslides, and waves in bodies of water. The northeast portion of Cupertino along SR 85 is located within a fault rupture hazard zone.[6]

Liquefaction

Liquefaction is the result of seismic activity and is characterized as the transformation of loose water-saturated soils from a solid state to a liquid state after ground shaking. There are many variables that contribute to liquefaction, including the age of the soil, soil type, soil cohesion, soil density, and groundwater level.

The lands adjacent to Stevens Creek, Calabazas Creek, Saratoga Creek and San Tomas-Aquino Creek are located within a designated State of California Liquefaction Hazard Zone and a Santa Clara County Liquefaction Hazard Zone. [7] The remainder of the City is not located in these zones.

[5] Natural Resources Conservation Service. Web Soil Survey. Accessed April 14, 2016. Available at: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm
[6] Santa Clara County. *Geologic Hazard Zones.* October 26, 2012.
[7] Ibid.

Lateral Spreading

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying alluvial material toward an open or "free" face such as an open body of water, channel, or excavation. There are no open faces within the project area.

Landsliding

Landslides occur when the stability of a slope changes from a stable to unstable condition. In general, steep slopes are less stable than more gently inclined ones. Landslides can also be triggered by seismic shaking. The project's geographic scope is not located within a State of California Landslide zone.[8] The City's General Plan also maps geologic and seismic hazards. The project area is within a valley, an area with relatively low levels of geologic hazards.

4.6.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
a. Rupture of a known earthquake fault, as described 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.)	☐	☐	☒	☐	1,5
b. Strong seismic ground shaking?	☐	☐	☒	☐	1,5
c. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,5
d. Landslides?	☐	☐	☒	☐	1,5
2. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1
3. Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,5

[8] County of Santa Clara. Geologic Hazards Zones Map 26. Accessed March 29, 2016. Available at: http://www.sccgov.org/sites/planning/GIS/GeoHazardZones/Documents/GeohazardMapsATLAS2.pdf

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
4. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☐	☒	☐	1
5. 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?	☐	☐	☐	☒	1

The project does not propose to construct facilities that would require the use of septic tanks or alternative waste water disposal systems; therefore, impacts related to the use of these systems are not applicable to the proposed project and not discussed further.

4.6.2.1 *Soils Impacts*

The proposed project would not be exposed to substantial slope instability, erosion, or landslide-related hazards due to the flat topography of the project area. Soils within the project area, however, have a moderate to high expansion potential. The presence of expansive soil could damage future bikeway improvements unless avoided by incorporating appropriate engineering into grading designs. The project would not result in loss, injury or death related to expansive soils. The project proposes to be constructed in accordance with standard practices in the California Building Code, as adopted by the City of Cupertino, to reduce expansive soil impacts to a less than significant level.

4.6.2.2 *Seismic and Seismic-Related Impacts*

The project is located in a seismically active region and, therefore, strong ground shaking would be expected during the lifetime of the project. While no active faults are known to cross the project area, and the site does not lie within an Alquist-Priolo zone, ground shaking on the site could damage the proposed bicycle facilities. Project alignments in liquefaction hazard zones would be constructed to reduce geologic hazard impacts to a less than significant level. Incorporation of standard construction measures in conformance with the 2013 California Building Code and City policies would reduce seismic hazards and impacts to a less than significant level. **(Less Than Significant Impact)**

4.6.3 Conclusion

The project would result in less than significant seismic shaking, soil erosion, and expansive soil impacts. **(Less Than Significant Impact)**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Setting

4.7.1.1 *Background Information*

Unlike emissions of criteria and toxic air pollutants, which are discussed in *Section 4.3 Air Quality* and have local or regional impacts, emissions of greenhouse gases have a broader, global impact. Global warming associated with the "greenhouse effect" is a process where greenhouse gases accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere over time. The principle greenhouse gases contributing to global warming and associated climate change are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. Greenhouse gas emissions contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

4.7.1.2 *Regulatory Framework*

State of California

AB 32 and Related Executive Orders and Regulations

The Global Warming Solutions Act (also known as "Assembly Bill (AB) 32") sets the State of California's 2020 greenhouse gas emissions reduction goal into law. The Act requires that the greenhouse gas emissions in California be reduced to 1990 levels by 2020. Prior to adoption of AB 32, the Governor of California also signed Executive Order S-3-05 which identified CalEPA as the lead coordinating State agency for establishing climate change emission reduction targets in California. Under Executive Order S-3-05, the state plans to reduce greenhouse gas emissions to 80 percent below 1990 levels by 2050. Additional state law and regulations related to the reduction of greenhouse gas emissions includes SB 375, the Sustainable Communities and Climate Protection Act (see discussion below), the State's Renewables Portfolio Standard for Energy Standard (Senate Bill 2X) and fleet-wide passenger car standards (Pavley Regulations).

In December 2008, the California Air Resources Board (CARB) approved the Climate Change Scoping Plan, which proposes a comprehensive set of actions designed to reduce California's dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 greenhouse gas reduction goal. On May 22, 2014, the First Update to the Scoping Plan was approved by the CARB. The First Update identifies opportunities to leverage existing and new funds to further reduce greenhouse gas emissions through strategic planning and targeted low carbon investments. In addition, the First Update defines climate change priorities for CARB for the next five years and sets the groundwork to achieve long-term goals set forth in Executive Orders S-3-05 and B-16-2012.[9]

[9] California Air Resources Board. "First Update to AB 32 Scoping Plan." May 27, 2014. Accessed February 4, 2015. Available at: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>

CEQA

As required under state law (Public Resources Code Section 21083.05), the California Natural Resources Agency has amended the state CEQA Guidelines to address the analysis and mitigation of greenhouse gas emissions. Under these sections of the CEQA Guidelines (§15064.4), lead agencies, such as the City of Cupertino, retain discretion to determine the significance of impacts from greenhouse gas emissions based upon individual circumstances. Neither CEQA nor the CEQA Guidelines provide a specific methodology for analysis of greenhouse gases and under the amendments to the CEQA Guidelines, a lead agency may describe, calculate or estimate greenhouse gas emissions resulting from a project and use a model and/or qualitative analysis or performance based standards to assess impacts. The CEQA Guidelines (§15183.5) also outline the required components of a "Greenhouse Gas Reduction Strategy." Projects consistent with such a Strategy or Plan would reduce their contribution to cumulative greenhouse gas impacts to a less than significant level.

Senate Bill 375 – Sustainable Communities Strategy

Senate Bill 375 (SB 375), known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. It builds on AB 32 by requiring CARB to develop regional greenhouse gas reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 when compared to emissions in 2005. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.[10] The four major requirements of SB 375 are:

1. Metropolitan Planning Organizations (MPOs) must meet greenhouse gas emission reduction targets for automobiles and light trucks through land use and transportation strategies.

2. MPOs must create a Sustainable Communities Strategy (SCS), to provide an integrated land use/transportation plan for meeting regional targets, consistent with the Regional Transportation Plan (RTP).

3. Regional housing elements and transportation plans must be synchronized on eight-year schedules, with Regional Housing Needs Assessment (RHNA) allocation numbers conforming to the SCS.

4. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC).

MTC and ABAG adopted *Plan Bay Area* in July 2013. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions. Bikeway facilities along Stevens Creek Blvd. between SR-85 and the eastern city limit, and along De Anza Blvd. north of Stevens Creek Blvd. would intersect with PDAs.

[10] The emission reduction targets are for those associated with land use and transportation strategies, only. Emission reductions due to the California Low Carbon Fuel Standards or Pavley emission control standards are not included in the targets.

Regional and Local Plans

Bay Area 2010 Clean Air Plan

The Bay Area 2010 Clean Air Plan (CAP) is a multi-pollutant plan that addresses greenhouse gas emissions along with other air emissions in the San Francisco Bay Area Air Basin. One of the key objectives in the 2010 CAP is climate protection. The 2010 CAP includes emission control measures in five categories: Stationary Source Measures, Mobile Source Measures, Transportation Control Measures, Land Use and Local Impact Measures, and Energy and Climate Measures. Consistency of a project with current control measures is one measure of its consistency with the CAP. The current CAP also includes performance objectives, consistent with the state's climate protection goals under AB 32 and SB 375, designed to reduce emissions of greenhouse gases to 1990 levels by 2020 and 40 percent below 1990 levels by 2035.

City of Cupertino General Plan

The Cupertino General Plan includes an Environmental Resources/Sustainability Section, with policies that call for energy efficiency, alternative transportation planning, and green building. These policies and the City's Green Building and Green Business Programs include measures designed to reduce energy and water use and associated direct and indirect greenhouse gas emissions.

The City also has adopted a construction and debris (C&D) recycling program ordinance that requires applicants seeking building or demolition permits for projects greater than 3,000 square feet to recycle at least 60 percent of project discards. Recycling can indirectly reduce greenhouse gas emissions by reducing the need to manufacture or mine new products or materials.

Cupertino Climate Action Plan

The City of Cupertino Climate Action Plan seeks to identify emission reduction strategies that are informed by the goals, values, and priorities of the community. The Climate Action Plan describes the City's current emissions inventory and establishes future reduction targets. In addition, community-wide reduction measures and actions that can be implemented to help achieve future emission targets are described.

4.7.1.3 *Existing Conditions*

The City of Cupertino is highly urbanized with a diversity of land uses. Greenhouse gas emissions within the City are mostly the result of vehicle trips to, from, and throughout the City. The existing bicycle transportation network does not contribute to greenhouse gas emissions since it is used by bicyclists and pedestrians, and reduces vehicle trips within the City.

4.7.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	1
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,2

GHG emissions worldwide cumulatively contribute to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects in the City of Cupertino, the entire state of California, across the nation, and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts.

4.7.2.1 *Greenhouse Gas Emissions Threshold*

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the Lead Agency and must be based to the extent possible on scientific and factual data. The first checklist question is assessed using quantitative thresholds for GHG emissions identified by the Bay Area Air Quality Management District (BAAQMD) in 2009. Using a methodology that models how new land use development in the San Francisco Bay area can meet Statewide AB 32 GHG reduction goals, BAAQMD identified a significance threshold of 1,100 metric tons of CO_2e per year.[11]

The City has carefully considered the thresholds prepared by BAAQMD and regards the quantitative thresholds to be based on the best information available for development in the San Francisco Bay Area Air Basin. Evidence supporting these thresholds has been presented in the following documents:

- BAAQMD. 2009. *CEQA Thresholds Options and Justification Report*.
- BAAQMD. 2011. *California Environmental Quality Act Air Quality Guidelines.* (Appendix D).
- CARB. 2008. Climate Change Scoping Plan. (Statewide GHG Emission Targets)

BAAQMD has not identified a threshold of significance for construction-related GHG emissions.

[11] In addition to this bright-line threshold, an "efficiency" threshold was identified for urban high density, transit-oriented development projects that are intended to reduce vehicle trips but that may still result in overall emissions greater than 1,100 metric tons per year. This efficiency threshold is 4.6 metric tons of CO_2e per service population (e.g., residents and employees) per year.

4.7.2.2 *Greenhouse Gas Emission Impacts from the Project*

The project is the implementation of approximately 48.40 miles of bikeways and pedestrian facilities throughout the City of Cupertino. The bikeways and pedestrian facilities would provide residents with alternative means of travel to access community amenities and would, therefore, not release or contribute to greenhouse gas emissions and is considered a beneficial impact. **(No Impact)**

4.7.2.3 *Consistency with Adopted Plans and Policies*

As discussed in *Section 4.7.1.2 Regulatory Framework*, the State of California has adopted a Climate Change Scoping Plan. Greenhouse gas emissions are also addressed in the adopted 2010 CAP and Plan Bay Area and the City of Cupertino Climate Action Plan.

Comparison of Project Features to State of California Climate Change Scoping Plan Measures

The CARB-approved Climate Change Scoping Plan outlines a comprehensive set of actions intended to reduce overall greenhouse gas emissions in California, improve the environment, reduce dependence on oil, diversify California's energy sources, save energy, create new jobs, and enhance public health. The Scoping Plan includes 39 Recommended Actions for reducing greenhouse gas emissions. While the Scoping Plan focuses on measures and regulations at a statewide level, implementation of measures at the local level are also important. Recommended Actions/measures that pertain to the project are noted in Table 4.7-1.

Under the Scoping Plan, local governments are expected to reduce greenhouse gas emissions by five million metric tons (statewide) through transportation and land use changes. In addition, local governments play a key role in implementing many of the strategies contained in the Scoping Plan, such as energy efficient building codes, local renewable energy generation, and recycling programs. As discussed in *Section 4.7.2.1* and listed in Table 4.7-1, the project is consistent with several recommended actions in the Scoping Plan and would not conflict with implementation of recommended actions in the Scoping Plan intended to reduce greenhouse gas emissions by the year 2020.

Table 4.7-1: Climate Change Scoping Plan – Applicable Recommended Actions Compared to Project Features

Measure	Description	Applicable Feature
Transportation		
T-3	Regional Transportation-Related Greenhouse Gas Targets	The project is the implementation and construction of 48.40 bikeways and pedestrians facilities.
Energy Efficiency/Electricity and Natural Gas		
E-1	Energy Efficiency, including more stringent building standards	Not applicable.
E-4	Million Solar Roofs/Solar Initiative	Not applicable.
CR-1	Energy Efficiency – Utility, Building and Appliance Standards	Not applicable.

Table 4.7-1: Climate Change Scoping Plan – Applicable Recommended Actions Compared to Project Features

Measure	Description	Applicable Feature
CR-2	Solar Water Heating	Not applicable.
Green Buildings		
GB-1	Green Buildings	Not applicable.
Water		
W-1	Water Use Efficiency	Not applicable.
W-4	Reuse Urban Runoff	Not applicable.
Recycling and Waste Management		
RW-3	High Recycling/Zero Waste (including Commercial Recycling)	Not applicable.

Sustainable Communities Strategy

Plan Bay Area, which includes a Sustainable Communities Strategy that links transportation and land use planning, grew out of California's 2008 Senate Bill 375 (Steinberg), which requires each of the state's 18 metropolitan areas to reduce greenhouse gas emissions from cars and light trucks. Plan Bay Area promotes compact, mixed-use commercial and residential development focused in Priority Development Areas that is walkable and bikeable and close to mass transit, jobs, schools, shopping, parks, recreation, and other amenities.

The project proposes the construction of approximately 48.40 miles of bikeways and pedestrian facilities throughout the City, enabling residents to utilize non-automobile transit routes thus reducing greenhouse gas emissions. The project is, therefore, compliant with and contributing to the Sustainable Communities Strategy.

Bay Area 2010 Clean Air Plan

The 2010 CAP includes performance objectives, consistent with the state's climate protection goals under AB 32 and SB 375, designed to reduce emissions of greenhouse gases to 1990 levels by 2020 and 40 percent below 1990 levels by 2035. The 2010 CAP identifies a range of Transportation Control Measures, Land Use and Local Impacts Measures, and Energy and Climate Measures that make up the CAP's control strategy for emissions, including greenhouse gas emissions. As discussed in *Section 4.3 Air Quality*, the project is generally consistent with applicable control measures and the development of the project would not interfere with implementation of the 2010 CAP.

Cupertino Climate Action Plan

The proposed project is an update in the City's Bicycle Transportation Plan, the implementation of which would reduce long-term emissions, consistent with the Climate Action Plan.

The project would not conflict with plans, policies, or regulations for reducing greenhouse gas emissions adopted by the California legislature, CARB, BAAQMD, or City of Cupertino. **(Less Than Significant Impact)**

4.7.3 Conclusion

Implementation of the proposed project would not result in significant greenhouse gas emission impacts, would be consistent with adopted plans and policies related to the reduction of greenhouse gas emissions, and would be considered a beneficial impact. **(Less Than Significant Impact)**

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Setting

4.8.1.1 *Overview*

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, and arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other uses. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans.

4.8.1.2 *Regulatory Framework*

Hazardous waste generators and users in the City are required to comply with regulations enforced by several federal, state, and county agencies. The regulations are designed to reduce the risk associated with the human exposure to hazardous materials and minimize adverse environmental effects. The Santa Clara County Fire Department coordinates with the County's Hazardous Materials Compliance Division to implement the Santa Clara County Hazardous Materials Management Plan and to ensure that commercial and residential activities involving classified hazardous substances are properly handled, contained, and disposed.

Federal, state, and local requirements govern the removal of asbestos or suspected asbestos-containing materials, including the demolition of structures where asbestos is present. Typically, a certified asbestos contractor must remove all asbestos-containing materials prior to demolition activities. Federal and state regulations also govern the demolition of structures where lead or material containing lead is present. During demolition, lead-based paint that is securely adhering to wood or metal may be disposed of as demolition debris, which is a non-hazardous waste. Loose and peeling paint must be disposed of as a California and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. Other hazardous materials encountered during demolition must be handled and disposed of in accordance with hazardous waste laws and regulations. State and federal construction worker health and safety regulations require protective measures during construction activities where workers may be exposed to asbestos, lead, and/or other hazardous materials.

4.8.2 Existing Setting

4.8.2.1 *Site Conditions*

Known sources of historical hazardous materials contamination in Cupertino are mainly the result of leaking underground storage tanks. Within the project area, all known sources of hazardous materials contamination are currently in the process of remediation and/or statements of case closure for the incidents have been issued.

4.8.3 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1
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?	☐	☐	☒	☐	1
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	1
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, will it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1
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, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,7
6. For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
7. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1
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?	☐	☐	☐	☒	1,8

4.8.4 Hazard and Hazardous Materials Impacts

As described above, leaking underground storage tanks have been identified in the project area but have received a case closed status or are in the process of remediation. Improvements to existing

bikeways or the construction of new bikeways and spot improvements along streets, boulevards, and creeks would not require extensive grading, and it is unlikely that construction activities would expose workers to contaminated soils or groundwater. The project does not include the routine transport, use, or disposal of hazardous materials or emissions and would therefore, not emit or handle hazardous materials within a quarter mile of schools in the project area **(Less Than Significant Impact)**

The project area is not located within an airport land use plan, wildfire hazard zone, or in the vicinity of a private airstrip. Construction of the proposed project would not interfere with an adopted emergency response plan or emergency evacuation plan. For these reasons, implementation of the proposed project would not result in significant hazardous material impacts related to these issues. **(No Impact)**

4.8.5 Conclusion

Implementation of the proposed project, in accordance with federal, state, and local laws and regulations, would not result in a significant hazardous materials impact. **(Less Than Significant Impact)**

4.9 HYDROLOGY AND WATER QUALITY

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless, the City has policies that address existing conditions (e.g. floodplains) affecting a proposed project, which are described in *Section 4.9.2.4*, below.

4.9.1 Setting

4.9.1.1 *Regulatory Framework*

National Flood Insurance Program

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage.

The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps (FIRMs) that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in 100 (one percent) chance of being flooded in any one year based on historical data. As discussed in more detail in *Section 4.9.1.2* below, segments of the proposed project are located within a 100-year flood zone.

Water Quality (Nonpoint Source Pollution Program)

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. USEPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the water quality control boards, which for the Cupertino area is the San Francisco Regional Water Quality Control Board (RWQCB).

Statewide Construction General Permit

The State Water Resources Control Board has implemented a NPDES General Construction Permit for the State of California. For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.

Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirements

The San Francisco Bay RWQCB also has issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008) (MRP). In an effort to standardize stormwater management requirements throughout the region, this permit replaces the formerly separate countywide municipal

stormwater permits with a regional permit for 77 Bay Area municipalities, including the City of Cupertino. Under provisions of the NPDES Municipal Permit, redevelopment projects that add and/or replace more than 10,000 square feet of impervious surface, or 5,000 square feet of uncovered parking area, are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. Amendments to the MRP require all of the post-construction runoff to be treated by using Low Impact Development (LID) treatment controls, such as infiltration, evaporation, harvesting, or biotreatment facilities, where feasible.

The MRP also identifies subwatershed and catchment areas subject to hydromodification management controls. Projects that add or replace one acre of impervious surfaces are subject to the hydromodification standard and associated requirements in the MRP.[12]

City of Cupertino Municipal Code

Chapter 16.52 *Prevention of Flood Damage* of the City of Cupertino Municipal Code governs construction in Special Flood Hazard Areas (Zone A, AO, or A1-30 on FIRM maps) having special flood or flood-related erosion hazards. Under this regulation, the Director of Public Works reviews all development permits to determine that the permit requirements of this chapter have been satisfied, and that building sites are reasonably safe from flooding.

Chapter 9.18 *Stormwater Pollution Prevention and Watershed Protection* of the City of Cupertino Municipal Code outlines the City's minimum requirements designed to control the discharge of pollutants into the City of Cupertino's storm drain system and to assure that discharges from the City of Cupertino storm drain system comply with applicable provisions of the Federal Clean Water Act and NPDES Permit.

4.9.1.2 *Existing Conditions*

Hydrology and Drainage

The project area is located within the West Valley Watershed. Each watershed is made up of one or more main creeks, as well as many smaller tributaries, each with its own sub-watershed. Creeks in the West Valley Watershed include portions of the Sunnyvale East Channel and Calabazas Creek, and Regnart Creek.[13] Watershed elements include not only these tributaries but groundwater. Cupertino is located within the Santa Clara Valley Groundwater Basin and includes the McClellan groundwater recharge facility.

Class II, III, and IV bicycle facilities and spot improvements are proposed to be constructed on existing impervious surfaces (i.e. streets, boulevards etc.). Runoff from the project area would connect with existing storm drains in streets which would drain into Regnart Creek and San Tomas Aquino Creek which eventually drains into San Francisco Bay.

[12] Santa Clara Valley Urban Runoff Pollution Prevention Program. *Hydromodification Management (HM) Applicability Map City of Cupertino.* November 2010. Available at: <http://www.scvurppp-w2k.com/HMP_app_maps/Cupertino_HMP_Map.pdf>

[13] Santa Clara Valley Water District. "West Valley Watershed." Accessed April 12, 2016. Available at: < http://www.valleywater.org/uploadedImages/Services/HealthyCreeksEcoSystems/WatershedInformation/WestValley/WestValley2005Mapxl.jpg?n=1070 aspx>.

Groundwater

The project area is located in the Santa Clara Valley Groundwater Basin between the Diablo Mountains to the east and the Santa Cruz Mountains to the west. The City of Cupertino is located in the Santa Clara Plain Groundwater Recharge Area.[14] Groundwater in the project area varies depending on location in the City. Fluctuations in the level of subsurface water can occur due to variations in rainfall, temperature, and other factors.

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. The runoff often contains contaminants such as oil, grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitat of natural waterways such as Regnart Creek, which drains into Calabazas Creek and eventually into San Francisco Bay.

Flooding and Other Inundation Hazards

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the majority of the City of Cupertino is located within the FEMA Flood Zone, X500. X500 Zones are areas of 500-year flood with average depths of less than 1 foot and an area inundated by 0.2% annual chance of flooding. The portions of Cupertino located within FEMA Zone A are adjacent to Calabazas Creek and Stevens Creek.[15] Areas within Zone A have a 1% annual chance of flooding. Central Cupertino is located within FEMA Flood Zone X, which are moderate risk areas within the 0.2-percent-annual-chance floodplain, areas of 1-percent-annual-chance flooding where average depths are less than 1 foot, areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1-percent-annual-chance flood by a levee.

The project area is not subject to flooding due to seiches or tsunamis.[16] In the event of a Stevens Creek Dam failure, sections of Cupertino would be subject to dam inundation.[17]

[14] Santa Clara Valley Water District. 2012 Groundwater Management Plan.
[15] Federal Emergency Management Agency, *Flood Insurance Rate Map, Santa Clara County, California*, Community-Panel Number 06085C0209H, May 18, 2009.
[16] Association of Bay Area Governments. *Interactive Flooding Map*. Accessed April 13, 2016. Available at: http://gis.abag.ca.gov/website/Hazards/?hlyr=femaZones
[17] City of Cupertino. *A Resolution of the City Council of the City of Cupertino Approving the Join Stevens Creek Dam Failure Plan.* October, 16, 2012. Available at: http://www.cupertino.org/index.aspx?page=1210. Accessed on March 31, 2016.

4.9.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	1,9
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 will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1
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 will result in flooding on-or off-site?	☐	☐	☒	☐	1
5. Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1
6. Otherwise substantially degrade water quality?	☐	☐	☒	☐	1
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?	☐	☐	☐	☒	1,11
8. Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☒	☐	1,11
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?	☐	☐	☒	☐	1
10. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1

4.9.2.1 *Hydrology and Drainage Impacts*

The majority of the project area is currently developed with impervious surfaces (i.e. streets, boulevards etc.). Runoff generated by the project would flow into existing storm drains or be treated using LID stormwater controls where appropriate. Project components not developed with impervious surfaces are along Stevens Creeks, Regnart Creek, Saratoga Creek, San Tomas-Aquino Creek, the UPRR right-of-way, and the I-280 canal. **(Less Than Significant Impact)**

4.9.2.2 *Groundwater*

Construction of project components in unpaved areas is not expected to excavate soils to levels that would reach groundwater. Implementation of the proposed project would, therefore, not substantially deplete groundwater resources or interfere with groundwater recharge. **(No Impact)**

4.9.2.3 *Water Quality Impacts*

Construction-Related Impacts

The majority of the project is planned for implementation on paved right-of-ways, parks, open space areas, and along creek alignment. Project improvements on undeveloped land would require minimal grading, if at all. It is not anticipated that these improvements would generate construction-related pollutants that would adversely impact water quality. Implementation of the following standard measures would ensure that construction-related impacts to water quality would be reduced to a less than significant level.

In conformance with the City of Cupertino's Municipal Code Chapter 9.18, the project includes the following standard measures:

- The project shall implement construction BMPs to avoid impacts to surface water quality during construction, to the satisfaction of the Director of Public Works. Construction BMPs would include, but would not be limited to the following measures:

  - Preclude non-stormwater discharges to the stormwater system.
  - Incorporate site-specific Best Management Practices for erosion and sediment control during the construction period consistent with the NPDES permit.
  - Cover soil, equipment, and supplies that could contribute to non-visible pollution prior to rainfall events or monitor runoff.
  - Perform monitoring of discharges to the stormwater system to ensure that stormwater runoff during construction is contained prior to discharge to allow sediment to settle out and filtered, if necessary to ensure that only clear water is discharged to the storm system.

<u>Post-Construction Measures</u>

In conformance with the City of Cupertino's Municipal Code Chapter 9.18, the project includes the following standard measures; if applicable:

- The project shall comply with Provision C.3 of NPDES Permit Number CAS612008, which provides enhanced performance standards for the management of stormwater for new development.

  Prior to issuance of building and grading permits, each phase of development shall include provision for post-construction structural controls in the project design in compliance with the NPDES C.3 permit provisions, and shall include BMPs for reducing contamination in stormwater runoff as permanent features of the project.

  The specific BMPs to be used in each phase of development shall be determined based on design and site-specific considerations and will be determined prior to issuance of building and grading permits.

- To protect groundwater from pollutant loading of urban runoff, BMPs which are primarily infiltration devices (such as infiltration trenches and infiltration basins) must meet, at a minimum, the following conditions:

  - Pollution prevention and source control BMPs shall be implemented to protect groundwater;
  - Use of infiltration BMPs cannot cause or contribute to degradation of groundwater;
  - Infiltration BMPs must be adequately maintained;
  - Vertical distance from the base of any infiltration device to the seasonal high groundwater mark must be at least 10 feet. In areas of highly porous soils and/or high groundwater table, BMPs shall be subject to a higher level of analysis (considering potential for pollutants such as on-site chemical use, level of pretreatment, similar factors); and

- Best Management Practices (BMPs) shall be selected and designed to the satisfaction of the Director of Public Works in accordance with the requirements contained in the most recent versions of the following documents:

  - City of Cupertino Post-Construction BMP Section Matrix;
  - SCVURPPP "Guidance for Implementing Storm Water Regulations for New and Redevelopment Projects;"
  - NPDES Municipal Stormwater Discharge Permit issued to the City of Cupertino by the California Regional Water Quality Control Board, San Francisco Bay Region;
  - California BMP Handbooks;
  - Bay Area Stormwater Management Agencies Association (BASMAA) "Start at the Source" Design Guidance Manual;
  - BASMAA "Using Site Design Standards to Meet Development Standards for Stormwater Quality – A Companion Document to Start at the Source;" and
  - City of Cupertino Planning Procedures Performance Standard.

- To maintain effectiveness, all stormwater treatment facilities shall include long-term maintenance programs.

Implementation of standard measures would ensure that the project would not result in significant construction-related water quality impacts. **(Less Than Significant Impact)**

Post-Construction Impacts

Operation of the project would nominally contribute to pollutant generation from existing streets and boulevards throughout Cupertino, if at all. Implementation of standard measures, as discussed above, would ensure that the project would not result in significant post-construction water quality impacts. **(Less Than Significant Impact)**

4.9.2.4 *Flood Impacts and Other Inundation Hazards*

As discussed previously, the project area is within the 100-year, or one percent flood zone. In addition, the project does not propose to build housing. The project, therefore, would not place housing within a 100-year flood hazard area or impede or redirect flood flows within a 100-year flood hazard area.

Placing bikeways within floodplains along creeks may result in seasonal trail closures if the trails are flooded. These locations would be marked per SCVWD and City of Cupertino policies; therefore, safety impacts to trail users would be less than significant.

The future trails would also be designed to reduce the potential for impeding flood flows based on additional studies to be completed prior to project implementation.

The project is not located in an area subject to inundation hazards from dam failure, projected sea level rise, or earthquake-induced waves or mudflows. **(Less Than Significant Impact)**

4.9.3 Conclusion

Implementation of the proposed project would not result in significant hydrology or water quality impacts. **(Less Than Significant Impact)**

4.10 LAND USE

4.10.1 Setting

The proposed project is an update to the City of Cupertino's existing Bicycle Transportation Plan. The project is planned throughout the City of Cupertino along existing public streets, boulevards, and highways and within City parks, open space areas, and Union Pacific Railroad right-of-way, as listed in Table 3.0-2 and Table 3.0-3. Bikeways are planned on existing maintenance roads adjacent to Regnart and San Tomas-Aquino Creeks and a drainage channel near Interstate 280. The project also includes plans for a pedestrian overcrossing of SR-85 and various spot improvements as shown in Table 3.0-3.

The proposed bikeways would be adjacent to a variety of land uses, including commercial/retail, multi- and single-family residential, office, schools, and parks.

4.10.1.1 *Regulatory Framework*

General Plan and Zoning Ordinance

The majority of the planned improvements are located within existing City of Cupertino public roadways and are therefore, consistent with General Plan and zoning policies. Bikeways are also allowed within City parks. The project would be consistent with General Plan zoning designations throughout the City.

Other Public Agencies

Planned bikeways could be located within the right-of-ways of the Santa Clara Valley Water District (all creeks) and Caltrans (all state highway facilities). Coordination with the Cities of San José and Santa Clara may also be required for the transition of facilities to and from those cities into Cupertino.

4.10.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Physically divide an established community?	☐	☐	☒	☐	1
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?	☐	☐	☒	☐	1,2

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
3. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐	1

4.10.2.1 *Consistency with General Plan and Zoning Ordinance*

The majority of the proposed bikeway network would be within existing Cupertino street right-of-ways and adjacent primarily to commercial/retail and residential uses. Streets and boulevards proposed for bicycle facilities are not subject to zoning regulations by the City of Cupertino since streets and boulevards are considered public right-of-ways. The project is therefore consistent with the City's General Plan land use and zoning designations within the project area.

Bike facilities proposed within the right-of-ways of the Santa Clara Valley Water and Caltrans have not yet been designed, however, it is anticipated that they would be designed consistent with the plans, policies, and requirements of those agencies. **(Less than Significant Impact)**

4.10.2.2 *Land Use Compatibility*

The majority of the proposed bikeways would be constructed within existing City streets. Those that are located in other areas of the City would not create a barrier to development or physically divide a community. In fact, they would serve to better connect areas of the City that have limited bicycle access. The project is not located within a habitat conservation plan or natural community conservation plan area. **(Less than Significant Impact)**

4.10.3 Conclusion

Implementation of the proposed project would not physically divide an established community or conflict with applicable plans, policies, or regulations adopted for the purpose of avoiding an environmental impact. The City is not located within a habitat conservation plan or natural community conservation plan. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 Setting

Mineral resources found and extracted in Santa Clara County include construction aggregate deposits such as sand, gravel, and crushed stone. There are several areas in the City of Cupertino that are designated by the State Mining and Geology Board under the Surface Mining and Reclamation Act of 1975 (SMARA) as containing mineral deposits which are of regional significance; however, the City's General Plan indicates that these areas are either depleted or unavailable due to existing development. The project area is not within one of the areas of Cupertino designated as containing mineral deposits of importance.

4.11.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
4. Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1
5. 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?	☐	☐	☐	☒	1,2

4.11.3 Conclusion

Implementation of the proposed project would not result in the loss of availability of a known mineral resources. **(No Impact)**

4.12 NOISE

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless, the City has policies that address existing conditions (e.g. noise) affecting a proposed project, which are described in *Section 4.12.1.2*, below.

4.12.1 Setting

4.12.1.1 *Background Information*

Noise

Noise is defined as unwanted sound. Noise can be disturbing or annoying because of its pitch or loudness. Pitch refers to relative frequency of vibrations; higher pitch signals sound louder to people.

A decibel (dB) is measured based on the relative amplitude of a sound. Ten on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, gives greater weight to sounds to which the human ear is most sensitive.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. Twenty-four hour descriptors have been developed that emphasize quiet-time noise events. The Day/Night Average Sound Level, L_{dn}, is a measure of the cumulative noise exposure in a community. It includes a 10 dB addition or "penalty" to noise levels from 10:00 PM to 7:00 AM to account for human sensitivity to night noise.

4.12.1.2 *Applicable Noise Standards and Policies*

General Plan

The City of Cupertino General Plan provides a policy framework for guiding future land use and urban design decisions and contains a system of control and abatement measures to protect residents from exposure to excessive or unacceptable noise levels.

Municipal Code

The City of Cupertino regulates noise within the community in Chapter 10.48 (Community Noise Control) of the Municipal Code.

4.12.1.3 *Existing Conditions*

The majority of the planned bicycle network is on existing streets and boulevards that are dominated by vehicular noise on these roadways. Class I facilities are planned within City parks and open space areas, and near creeks and highways.

The project area is not located within two miles of an airport or private airstrip, or within an airport land use plan area.

4.12.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
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?	☐	☐	☒	☐	1-3
2. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	1-3
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1
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, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1
6. For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1

CEQA does not define what noise level increase would be considered substantial. Typically, project-generated noise level increases of three dBA CNEL or greater would be considered significant where exterior noise levels would exceed the normally acceptable noise level standard. Where noise levels would remain at or below the normally acceptable noise level standard with the project, noise level increases of three dBA CNEL or greater would be considered significant.

4.12.2.1 *Noise and Vibration Impacts From the Project*

Future project noise would result from bikeway and pedestrian facility users. It is expected that noise within the project area would be dominated by normal vehicular traffic on streets and boulevards. City parks, open space, and creek areas have lower noise levels; however these areas are urban in nature and the introduction of trail users would result in a nominal increase in noise levels to sensitive receptors and wildlife. Noise from project operation would not increase ambient noise

levels in the project area. Implementation of the proposed project is, therefore, not anticipated to result in a significant exterior noise impact. **(Less Than Significant Impact)**

Noise impacts to bikeway users along city streets and boulevards and over state highway facilities would be similar to those currently experienced by bicyclists and pedestrians traveling in the City. The construction of Class I and IV facilities could serve to move bicyclists away from roadway traffic, thus potentially reducing noise levels. **(Less Than Significant Impact)**

Construction activities can generate high noise levels, especially during the construction of project infrastructure when heavy equipment is used. Construction of the Class II – IV facilities would be minimal, if at all, and would not require the use of heavy equipment or machinery. The construction of Class I facilities could require the use of construction equipment; however, the duration would be short and the construction would be spread along the alignment. Therefore, noise from project construction would result in less than significant noise impacts. **(Less Than Significant Impact)**

4.12.3 Conclusion

The project would result in less than significant operational and construction noise, vibration, and air traffic impacts. **(Less Than Significant Impact)**

4.13 POPULATION AND HOUSING

4.13.1 Setting

The proposed project is the expansion of the existing bicycle network within Cupertino. The project does not propose the construction of housing.

4.13.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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)?	☐	☐	☐	☒	1
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

4.13.2.1 *Growth Inducement Impacts*

The project area is located within the City of Cupertino. The project does not propose the construction of new homes or businesses, and would not construct utilities or infrastructure beyond what is required to serve the proposed project. The proposed project is intended to better serve and accommodate the existing residents within the City of Cupertino. The proposed project would not induce unplanned growth in the City. **(No Impact)**

4.13.2.2 *Housing Displacement Impacts*

Bikeway alignments would be constructed on existing right-of-ways and would not result in the removal of existing housing or structures. Therefore, the proposed project would not displace people or housing. **(No Impact)**

4.13.3 Conclusion

Implementation of the proposed project would not result in growth inducement or impacts to existing housing supply. **(No Impact)**

4.14 PUBLIC SERVICES

4.14.1 Setting

The project is located throughout the City of Cupertino. Fire, police and emergency services are provided by the City. The bikeway network would be expanded onto existing streets and boulevards, right-of-ways along I-280, UPRR, and Highway 85, Stevens Creek, Regnart Creek, Saratoga Creek, and San Tomas-Aquino Creek.

4.14.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 public services:					
Fire Protection?	☐	☐	☒	☐	1
Police Protection?	☐	☐	☒	☐	1,12
Schools?	☐	☐	☐	☒	1
Parks?	☐	☐	☒	☐	1
Other Public Facilities?	☐	☐	☐	☒	1

41.14.2.1 *Impacts to Fire and Police Protection Services*

The project area is located within an urbanized area of Cupertino that is currently served by the Santa Clara County Fire Department and Santa Clara County's Sherriff's Office. The introduction of more individuals along the proposed bikeway network expansion may increase calls for service within the project area. The reported incidents would be similar to those that occur on existing roadways and at neighborhood parks in the City. Increased use of bikeways as a result of project implementation would not require the construction of additional fire or police facilities; therefore, the project would have a less than significant impact on fire and police protection services. **(Less Than Significant Impact)**

4.14.2.2 *Impacts to Schools, Parks, and Other Public Facilities*

Project implementation may increase use of community parks and amenities due to improved access to such facilities. It is not anticipated that the increase in use would exceed the capacity of the existing facilities such that new facilities would need to be constructed, therefore, the project would not result in a significant impact to schools, parks, or other public facilities. **(Less Than Significant Impact)**

4.14.3 Conclusion

The project could result in a slight increase in the demand for emergency services within the project area, however, the increase would not exceed the capacity for the City of Cupertino to provide services to its residents. The project would provide additional recreational opportunities by improving access to parks, schools, and community amenities. Therefore, the project would not result in significant impacts to public services. **(Less Than Significant Impact)**

4.15 RECREATION

4.15.1 Setting

The Department of Recreation and Community Services is responsible for park planning and development, and a comprehensive leisure program for the City. The City of Cupertino is served by approximately 214 acres of parkland, including neighborhood parks, community parks, and school playing fields. Leisure services facilities within the City include the Quinlan Community Center, Cupertino Sports Center, Monta Vista Recreation Center, Cupertino Senior Center, and Blackberry Farm.

4.15.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐	1
2. 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?	☐	☐	☒	☐	1

The project would connect existing and/or proposed bikeways and pedestrian facilities to existing parks in Cupertino.

4.15.2.1 *Impacts to Parks and Recreational Facilities*

The project would improve bicycle and pedestrian access to parks and community amenities throughout the City which may result in an increase in use of parks and recreational facilities. The incremental increase in use of these parks and recreational facilities would not result in substantial or accelerated, physical deterioration of these facilities. The project would not result in significant impacts to parks and recreational facilities. **(Less Than Significant Impact)**

4.15.3 Conclusion

Implementation of the proposed project would not result in physical deterioration of existing recreational facilities and would, therefore, not require the construction of additional facilities. **(Less Than Significant Impact)**

4.16 TRANSPORTATION

The list of planned project improvements can be found in Table 3.0-2 and Table 3.0-3 in the *Project Description* of this Initial Study.

4.16.1 Setting

4.16.1.1 *Existing Transportation Network*

Roadway Network

The existing roadway network in Cupertino is made up of major streets, boulevards and neighborhood streets throughout the City. The main east/west streets include Stevens Creek Boulevard and McClellan Road. North/south streets include Tantau Avenue, Wolfe Road/Miller Avenue, Blaney Avenue, De Anza Boulevard, Stelling Road, Bubb Road and Stevens Canyon Road/Foothill Boulevard. Interstate 280 generally forms the northern boundary of the City while SR-85 bisects it in a northwest to southeast direction.

Pedestrian and Bicycle Facilities

Pedestrian facilities are primarily comprised of sidewalks and pedestrian signals at intersections along most major streets throughout Cupertino.

The existing bikeways in the City are primarily along major streets including Homestead Road, Stevens Creek Boulevard, Bollinger Road, Rainbow Drive, Prospect Road, N. Foothill Boulevard, Mary Avenue, Bubb Road, N./S. De Anza Boulevard, N./S. Stelling Road, N. Wolfe Road, Miller Avenue, and McClellan Road. Existing bikeways along creeks include Permanente Creek, Stevens Creek, Calabazas Creek, and Saratoga Creek.

Pedestrian facilities are located along most streets throughout Cupertino.

Transit Services

The Santa Clara Valley Transportation Authority (VTA) bus routes circulate throughout Cupertino. Bus stops are located on major streets including Stevens Creek Boulevard, De Anza Boulevard, Stelling Road, Bollinger Road, Homestead Road, Wolfe Road, and Tantau Avenue.

4.16.1.3 *Existing Conditions*

The existing bicycle network is primarily along streets and boulevards throughout Cupertino. The network is largely disjointed and does not provide adequate connectivity among existing bikeways in the City and surrounding area. The project's intent is to improve upon existing facilities and to connect those facilities to a larger network of bikeways to provide for greater use.

4.16.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☐	☒	☐	1,2
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?	☐	☐	☒	☐	1
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?	☐	☐	☐	☒	1
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1
5. Result in inadequate emergency access?	☐	☐	☒	☐	1
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?	☐	☐	☒	☐	1,2

4.16.2.1 *Project Trip Estimates*

Trip Generation

The project would not increase vehicular traffic and may result in fewer vehicle trips throughout the City by providing safe, on-street and off-street alternative means for travel by bicycle for area commuters and residents.

4.16.2.2 *Impacts to Pedestrian, Bicycle, and Transit Facilities*

Implementation of the planned improvements would not conflict with any policies of the City of Cupertino or other agencies (e.g., the Valley Transportation Authority) regarding pedestrian, bicycle, and transit facilities, nor would it interfere with any existing or planned facilities. All bikeways would be designed to reduce conflicts with VTA bus facilities. The project is intended to improve the existing bicycle network in the City and would, therefore, be considered a beneficial impact to pedestrian, bicycle, and transit facilities in the project area.

Pedestrian and Bicycle Facilities

The project is the implementation of 48.40 miles of bikeway facilities and spot improvements throughout the City. Build-out of the project would be considered an improvement to bicycle and pedestrian facilities for improved safety at crossings of signalized intersections and along major streets and boulevards. It is not expected that the project would generate vehicle trips since it would be providing residents with alternative transportation facilities for commute and recreational use. **(No Impact)**

Transit

Transit impacts are considered significant if the proposed project conflicts with existing or planned transit facilities, generates potential transit trips in excess of available capacity, or does not provide adequate facilities for pedestrians and bicyclists to access transit routes and stops. The project would provide bicycle and pedestrian facility users with improved access to transit along streets and boulevards throughout the City. **(No Impact)**

4.16.2.3 *Other Transportation Impacts*

Parking

The project does not propose the construction of parking or parking lots. Existing parking along some streets may be removed or relocated as a result of implementing the planned improvements. Parking studies would be required for such projects to determine potential effects.

Air Traffic Patterns

As discussed in *Section 4.8 Hazards and Hazardous Materials*, the project area is not located within an airport land use plan or in the vicinity of a private airstrip. Project implementation would not impact local air traffic patterns. **(No Impact)**

Site Access and Hazards

The project would improve access on streets and boulevards within parks, near schools, and other community amenities throughout the City. It is not expected that the project would increase hazards to recreational bikeway users because of improved bikeway markings and signalization as part of the bicycle network. Nonetheless, an improved bicycle network would likely increase use of bikeways and thus inadvertently expose bikeway users to hazards from vehicular traffic. The increase in

hazards to bikeway users would be reduced via implementation of improved markings and signalization at intersections. The provision of Class I and IV facilities in the City would place bicyclists on separate bikeways further improving safety conditions in the City. **(Less Than Significant Impact)**

4.16.3 Conclusion

Implementation of the proposed project would not result in significant transportation impacts. **(Less Than Significant Impact)**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Setting

4.17.1.1 *Water*

Water service to the project area is supplied primarily by the San José Water Company (SJWC) and the California Water Service Company, which also maintains the water system. SJWC serves approximately 139 square miles of the Santa Clara Valley, including most of San Jose, most of Cupertino, the entire cities of Campbell, Monte Sereno, Saratoga, the Town of Los Gatos, and parts of unincorporated Santa Clara County. SJWC relies on groundwater, imported treated water, and local surface water for its potable water supply. In 2010, SJWC received approximately 39 percent of its water supply from groundwater, 50 percent from imported treated water, and 11 percent from local surface water.[18] In 2010, SJWC delivered 133,066 acre-feet of water per year (AFY) which is expected to increase to 159,479 by 2035.

The project does not propose constructing features that would require water for maintenance or operation.

4.17.1.2 *Storm Drainage*

As discussed in *Section 4.9 Hydrology and Water Quality*, existing right-of-ways in the City drain into existing storm drains. Runoff from the project would depend on the specific location of the bikeway segment within the larger bikeway network. Class I facilities could drain to existing storm drains on other facilities.

4.17.1.3 *Wastewater/Sanitary Sewer System*

The Cupertino Sanitary District (District) provides sanitary sewer service to the project area. The Cupertino Sanitary District collects and transports wastewater to the San José/Santa Clara Regional Wastewater Facility (RWF) located in north San José. The District purchases 7.85 million gallons per day of water treatment capacity from the RWF.[19] Approximately five million gallons of wastewater a day is generated within the Cupertino Sanitary District and conveyed to the RWF.[20]

The project does not propose construction of features that would require service by the wastewater/sanitary sewer system.

4.16.1.4 *Solid Waste*

Garbage and recycling collection services in the City of Cupertino are provided by Recology. Solid waste collected from the City is delivered to Newby Island Sanitary Landfill (NISL). Many types of recyclable materials are also delivered to the Sunnyvale Materials Recovery Station (SMART

[18] San José Water Company. *2010 Urban Water Management Plan.* April 2011.
[19] City of Milpitas. "Agreement for Treatment Plant Capacity Transfer". 2009. Accessed: April 12, 2016. Available at: <http://www.ci.milpitas.ca.gov/_pdfs/council/2009/010609/item_17.pdf>
[20] Cupertino Sanitary District. 2015 Annual Report. 2015.

Station) for recycling. Currently, NISL has approximately 20 million cubic yards of capacity remaining.[21]

The City has a contract with NISL until the year 2023 or until the cumulative tonnage delivered equals 2.05 million tons. The City has delivered a total of approximately 1.4 million tons of waste to the landfill. The City generates approximately 31,500 tons of solid waste a year.[22]

4.17.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1
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?	☐	☐	☐	☒	1
3. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	1
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?	☐	☐	☐	☒	1
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1
7. Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☐	☒	1

[22] The estimate annual tonnage of solid waste generated by the City is based on an average of 2009-2011. Source: King, Rick. Personal communications with NISL General Manager. February 2012.

4.17.2.1 *Water Service and Supply*

The project does not propose the construction of features that would require water or water services. The project would, therefore, not substantially increase water demand to the extent that new entitlements and sources of water would be required. **(No Impact)**

4.17.2.2 *Storm Drainage*

As discussed in *Section 4.9 Hydrology and Water Quality*, implementation of the project would primarily occur on existing paved streets and boulevards. Stormwater runoff would be treated using new LID stormwater controls where feasible. **(Less Than Significant Impact)**

4.17.2.3 *Wastewater/Sanitary Sewer System*

The project does not propose the construction of features that would require connection to the City's wastewater/sanitary sewer system. **(No Impact)**

4.17.2.4 *Solid Waste*

The project does not propose the construction of features that would need to be served by solid waste facilities. **(No Impact)**

4.17.3 Conclusion

Implementation of the proposed project would not result in a significant impact to utilities and service systems. **(Less Than Significant Impact)**

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. 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, 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. 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)?	☐	☐	☒	☐	
3. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐	
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	

4.18.1 Project Impacts

The proposed project, with the implementation of the mitigation measures identified in *Section 4.0* of this Initial Study, would not significantly degrade or impact the quality of the environment. As discussed in *Section 4.4 Biological Resources*, the Class II – IV facilities would not impact sensitive habitats or wildlife. Class I facilities in parks and along creeks could require additional analyses as they are designed. As discussed in *Section 4.5 Cultural Resources*, the project would not have a significant impact on cultural resources with the incorporation of the described mitigation measures. **(Less Than Significant Impact with Mitigation Incorporated)**

4.18.2 Cumulative Impacts

Cumulative impacts refer to two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts. The project would not result in impacts to agricultural and forest resources or mineral resources and, therefore, would not contribute to the cumulative impacts of those resources. Project components that would result in the removal of existing trees would need additional environmental study prior to project construction.

The Class II, III and IV bicycle facilities and spot improvements that would not result in the removal of trees would not have a considerable contribution to a significant cumulative impact on trees.

The project would increase the number of bicyclists and pedestrians using the network which would increase the number of people on the streets at any given time. While this would increase the inherent risk for bicyclists and pedestrians, the improvements proposed as part of the project including signalization at intersections and protected bike lanes would reduce the risks associated with traditional bicycle use on urban and residential streets.

There are no planned or proposed developments in the project area that could contribute to cumulative aesthetic, air quality (including construction-related impacts), hydrology and water quality, noise, population and housing, recreation, or utilities and service system impacts. The project's archaeological resources and geology and soils impacts are specific to the project site and would not contribute to cumulative impacts elsewhere.

The project's cumulative impacts to greenhouse gas emissions is discussed in *Section 4.7* and it was concluded that the project would have a less than significant (cumulative) impact on greenhouse gas emissions.

Based on the discussion above, the project would not have cumulatively considerable impacts. **(Less Than Significant Impact)**

4.18.3 Short-term Environmental Goals vs. Long-term Environmental Goals

The project proposes to improve upon and expand the existing bicycle network throughout the City. The project would not result in the conversion of a greenfield site to urban uses or otherwise commit resources in a wasteful or inefficient manner. The construction phase would require the use of nonrenewable construction material, such as concrete, metals, and plastics. Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of bicycle facility materials, preparation of the specific project area, and construction of the project components.

The operational phase would not consume energy because it would be used by bicyclists or pedestrians. Energy, in the form of fossil fuels, may be indirectly used as bicycle network users may drive to parks with bikes to begin recreationally using the network however, the intent of the project is to provide safe alternative transit routes for commuters and residents.

The project would not induce substantial job or population growth (refer to *Section 4.13*) or result in a large or irretrievable commitment of resources. For these reasons, the project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. **(Less Than Significant Impact)**

4.18.4 Direct or Indirect Adverse Effects on Human Beings

Based on the analysis completed in *Section 4.0* of this Initial Study, the project would not result in direct or indirect adverse effects on human beings. **(Less Than Significant Impact)**

Checklist Sources

1. Professional judgment and expertise of the environmental specialist preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.

2. City of Cupertino. *General Plan*. November 2005.

3. City of Cupertino. *Municipal Code*. February 19, 2013.

4. California Department of Conservation. *Santa Clara County Important Farmland 2012.* Map.

5. County of Santa Clara. Geologic Hazards Zones Map 18. Accessed April 13, 2016. Available at: < https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/GeoMaps.aspx>

6. California Air Resources Board. "First Update to AB 32 Scoping Plan." May 27, 2014. Accessed April 13, 2016. Available at: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>

7. County of Santa Clara, Planning Office. "Airport Land-Use Commission". Accessed April 13, 2016. Available at: <http://www.sccgov.org/sites/planning/PlansPrograms/ALUC/Pages/ALUC.aspx>.

8. CalFire. "Santa Clara County FHSZ Maps*"* Accessed April 11, 2016. Available at: <http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara.php>

9. Santa Clara Valley Water District. "West Valley Watershed." Accessed April 11, 2016. Available at: < http://www.valleywater.org/uploadedImages/Services/HealthyCreeksEcoSystems/WatershedInformation/WestValley/WestValley2005Mapxl.jpg?n=1070 >

10. Santa Clara Valley Water District. 2012 Groundwater Management Plan.

11. Federal Emergency Management Agency, *Flood Insurance Rate Map, Santa Clara County, California*, Community-Panel Number 06085C0209H, May 18, 2009.

12. United States Census Bureau. "State and County QuickFacts." Cupertino (city), California. Accessed April 11, 2016. Available at: <http://quickfacts.census.gov/qfd/states/06/0617610.html>

13. City of Cupertino. "Fire: Santa Clara County Fire Department About County Fire". Accessed April 11, 2016. Available at: <http://www.cupertino.org/index.aspx?page=365>

14. City of Cupertino. "Sheriff's Office West Valley Division". Accessed April 11, 2016. Available at: <http://www.cupertino.org/index.aspx?page=364>

SECTION 5.0 REFERENCES

Association of Bay Area Governments. Interactive Flooding Map. Accessed February 18, 2015. Available at: http://gis.abag.ca.gov/website/Hazards/?hlyr=femaZones

CalFire. "Santa Clara County FHSZ Maps*"* Accessed April 13, 2016. Available at: <http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara.php>

California Air Resources Board. "First Update to AB 32 Scoping Plan." May 27, 2014. Accessed February 4, 2015. Available at: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>

California Department of Conservation, Division of Land Resource Protection. Santa Clara County Williamson Act FY 2013/2014. 2013.

---. *Santa Clara County Important Farmland 2012.* Map.

City of Cupertino. "City of Cupertino Bicycle Transportation Plan Update (Draft Plan)". March 2016.

City of Cupertino. "Fire: Santa Clara County Fire Department About County Fire". Accessed April 13, 2016. Available at: <http://www.cupertino.org/index.aspx?page=365>

---. "Sheriff's Office West Valley Division". Accessed December 23, 2014. Available at: <http://www.cupertino.org/index.aspx?page=364>

---. *General Plan*. November 2005.

---. *Municipal Code*. February 19, 2013.

County of Santa Clara, Planning Office. "Airport Land-Use Commission". Accessed April 13, 2016. Available at: <http://www.sccgov.org/sites/planning/PlansPrograms/ALUC/Pages/ALUC.aspx>.

County of Santa Clara. Geologic Hazards Zones Map 18. Accessed February 3, 2015. Available at: <http://www.sccgov.org/sites/planning/GIS/GeoHazardZones/Documents/GeohazardMapsATLAS2.pdf>

Cupertino Sanitary District. 2014 Annual Report. 2014.

Federal Emergency Management Agency, *Flood Insurance Rate Map, Santa Clara County, California*, Community-Panel Number 06085C0209H, May 18, 2009.

Fehr & Peers. *Transportation Impact Analysis*. February 6, 2015.

King, Rick. Personal communications with NISL General Manager. February 2012.

McGourty, Scott. Personal communications with Environmental Manager at NISL. May, 2014.

San José Water Company. 2010 Urban Water Management Plan. April 2011.

Santa Clara Valley Water District. "West Valley Watershed." Accessed April 30, 2014. Available at: < http://www.valleywater.org/uploadedImages/Services/HealthyCreeksEcoSystems/WatershedInformation/WestValley/WestValley2005Mapxl.jpg?n=1070 >.

---. 2012 Groundwater Management Plan.

United States Census Bureau. "American Fact Finder". *Profile of General Population and Housing Characteristics: 2010, for the City of Cupertino.* Accessed January 22, 2015. Available at: <http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_10_AIAN_AIANDP1&prodType=table>

---. "State and County QuickFacts." Cupertino (city), California. Accessed December 23, 2014. Available at: < http://quickfacts.census.gov/qfd/states/06/0617610.html>

SECTION 6.0 AUTHORS AND CONSULTANTS

6.1 LEAD AGENCY

City of Cupertino
Department of Public Works
Timm Borden, *Director*
David Stillman, *Senior Civil Engineer*

6.2 CONSULTANTS

David J. Powers & Associates, Inc.
Environmental Consultants and Planners
Jodi Starbird, *Principal*
Caroline Weston, *Researcher*
Zach Dill, *Graphic Artist*