

PUBLIC REVIEW DRAFT

Congress Springs Property Acquisition and
Conservation Easement

Initial Study
Negative Declaration



City of Saratoga
Public Works Department
13777 Fruitvale Avenue
Saratoga, CA 95070

INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION

Project Name. Congress Springs Property Acquisition and Conservation Easement

Project Location. The proposed project is located in the unincorporated area of Santa Clara County within the City of Saratoga's sphere of influence. The project site comprises two parcels: Assessor's Parcel Numbers 517-32-001 and 503-48-014 (excluding 1.89 acres immediately adjacent to Highway 9 to be retained by the Santa Clara County Roads and Airport Department for continued use as a maintenance yard).

Summary Description of Project. The project proposes the City's acquisition of the Congress Springs Property from the County of Santa Clara (with joint funding from the Midpeninsula Regional Open Space District and the County of Santa Clara Parks and Recreation Department) for open space and trail use subject to a conservation easement over the Property in favor of the Midpeninsula Regional Open Space District and the County of Santa Clara. The project also includes conforming amendments to the City's General Plan and zoning ordinance. The site would be closed to public access until completion of a final management plan.

Please refer to Section B, Project Description, for more detail.

Findings. It is hereby determined that, based on the information contained in the attached Initial Study, the project would not have a significant adverse effect on the environment.

Date: _____

6/21/11



**John Cherbone,
Public Works Director
City of Saratoga**

A. SUMMARY INFORMATION

1. Project Title:

Congress Springs Property Acquisition and Conservation Easement

2. Lead Agency Name and Address:

John Cherbone, Public Works Director
City of Saratoga
13777 Fruitvale Avenue
Saratoga, CA 95070

3. Contact Person and Phone Number:

John Cherbone, Public Works Director
(408) 868-1241

4. Project Location:

The proposed project is located immediately south of Highway 9 (Congress Springs Road/Big Basin Way) in the unincorporated area of Santa Clara County within the City of Saratoga's sphere of influence. The project site comprises two parcels: Assessor's Parcel Numbers 517-32-001 and 503-48-014 (excluding 1.89 acres immediately adjacent to Highway 9 to be retained by the Santa Clara County Roads and Airport Department for continued use as a maintenance yard). Figure 1 shows the project location in context of the general vicinity. Figure 2 shows the project site and the area to be retained.

5. Project Sponsor's Name and Address:

City of Saratoga
13777 Fruitvale Avenue
Saratoga, CA 95070

6. General Plan Designation:

The property is designated as "Regional Park, Existing" in the Santa Clara County General Plan and pre-designated as Open Space-Hillside in the City of Saratoga General Plan. The City of Saratoga Open Space and Conservation Element shows the property including a trail corridor beginning at Hakone Gardens to the Santa Clara County Skyline –Sanborn Park.

7. Zoning:

The property is zoned HS-D1 (Hillside Design Review) by Santa Clara County and pre-zoned Residential-Open Space by the City of Saratoga.

8. Description of Project:

The project proposes the City's acquisition of the Congress Springs Property from the County of Santa Clara (with joint funding from the Midpeninsula Regional Open Space District and the County of Santa Clara Parks and Recreation Department) for open space and trail uses subject to a conservation easement over the Property in favor of the Midpeninsula Regional Open Space District and the County of Santa Clara. The project also includes conforming amendments to the City's General Plan and zoning ordinance. The site would be closed to public access until completion of a management plan and related CEQA review.

9. Surrounding Land Uses and Setting:

The project site is bordered on the north by Highway 9, on the west by the San Jose Water Company property, and on the east and the south by low-density rural residential uses and open space.

10. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

County of Santa Clara (grant funds to the City; sale to the City; acceptance of conservation easement); and Midpeninsula Regional Open Space District (grant funds to City; acceptance of conservation easement);

B. PROJECT DESCRIPTION

The following discussion includes a description of the project site and surrounding land uses and a description of the proposed project.

I. Overview and Background

The approximately 64-acre property was used as a quarry for mining the greywacke sandstone hillside from approximately 1908 until 1967. The property was purchased by Santa Clara County in 1920 as a source of aggregate road base material for County roads. Blasting and steam shovels were used to excavate the hillside bedrock materials. Electric-powered cars and belt conveyors were used to haul the rock to a crushing plant, into two underground tunnels, and to a loading station. The quarry was closed in 1967 and the site has had ongoing hillside rehabilitation to minimize slope erosion of the graded slopes. The County of Santa Clara Roads and Airports Department built an irrigation system across the Project site in 1969 to re-vegetate the hillsides exposed from quarry operations (Earth Tech, 2000). The County has since used the Project Site and Santa Clara County Yard to store road maintenance equipment and materials near Highway 9.

II. Project Location and Existing Land Uses

Project Location. The proposed project is located immediately south of Highway 9 in the unincorporated area of Santa Clara County within the City of Saratoga's sphere of influence. The project site comprises two parcels: Assessor's Parcel Numbers 517-32-001 and 503-48-014 (excluding 1.89 acres immediately adjacent to Highway 9 to be retained by the Santa Clara County Roads and Airport Department for continued use as a maintenance yard). Figure 1 shows the project location in context of the general vicinity. Figure 2 shows the project site and the area to be retained.

Saratoga comprises approximately 12 square miles and has a population of approximately 30,000. The City is located in Santa Clara County at the base of the Santa Cruz Mountains and is surrounded by Cupertino and San Jose on the north; Campbell, Los Gatos, and Monte Sereno on the east; and unincorporated lands of Santa Clara County on the south and west.

Existing land uses. The site is currently used by Santa Clara County Department of Roads and Airports as a transfer site for gravel and dirt. CalTrans uses a portion of the western side area for tractor storage and the Santa Clara Fire Department uses the site for rescue exercises. Land uses surrounding the property consist of a major arterial roadway, San Jose Water Company lands, open space and low to medium density residential uses.

Existing Conditions

Natural Features. The property consists of approximately 64.5 acres. The site consists primarily of unimproved hillside with various unpaved roads leading to upper areas of the site from Highway 9. The site is moderately wooded with dense vegetation in some areas with some open, relatively level areas.

Saratoga Creek runs near the northern perimeter of the Project site (Figure 1). The creek supports a dense, multi-layered woodland typical of riparian habitat. The property includes lands that may qualify as U.S. Army Corps of Engineers jurisdictional waters. The creek is also under the jurisdiction of the Santa

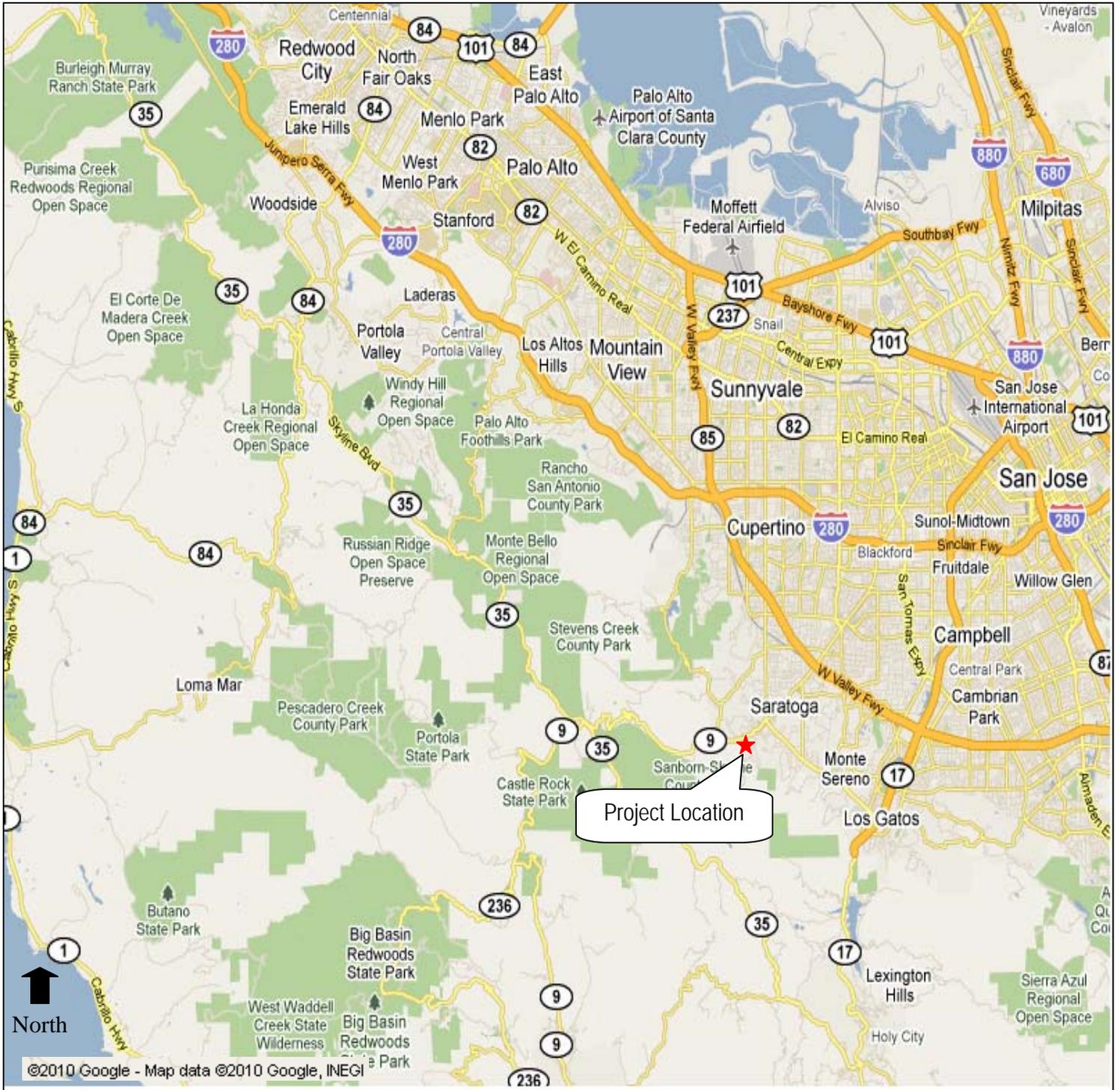
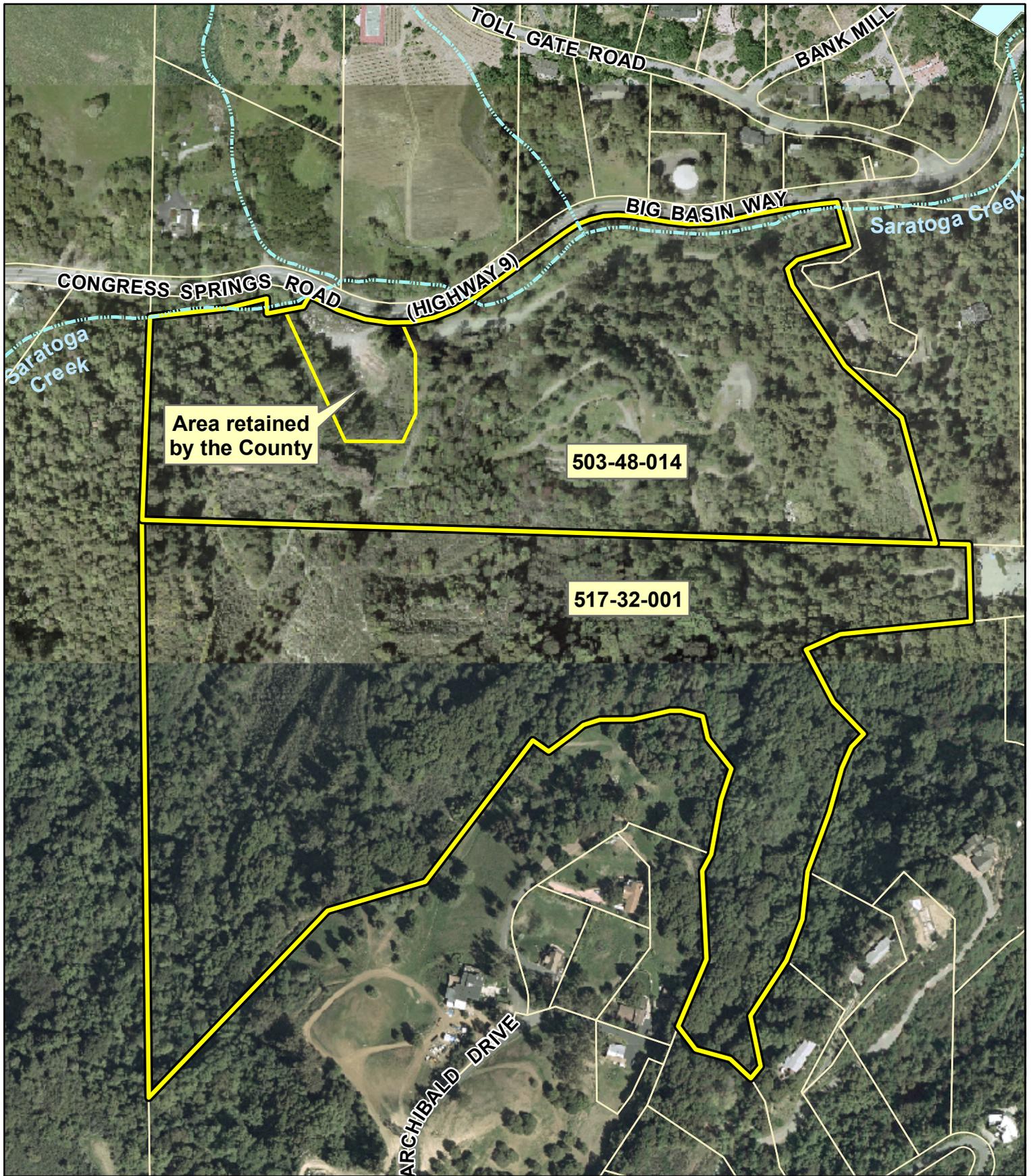


FIGURE 1

*Congress Springs Quarry
Property Acquisition and Conservation Easement
Initial Study and Negative Declaration*



0 250 500 1,000 Feet

FIGURE 2

*Congress Springs Quarry
Property Acquisition and Conservation Easement
Initial Study and Negative Declaration*

Clara Valley Water District, the California Department of Fish and Game (CDFG) and Regional Water Quality Control Board (RWQCB).

The Project site has moderate to steep slopes dipping down northward to Saratoga Creek. Groundwater flow at the Project site likely follows the local topography toward the north. The Project site is characterized by unstable soils on the hillsides, is overlain by active landslide debris, and is underlain by bedrock of the Franciscan Complex and/or Santa Clara Formation. Franciscan Complex is associated with serpentine rock, which may contain naturally occurring asbestos. Geological mapping in the Project vicinity indicates serpentine rock occurs in areas south of the Project site (William Cotton and Associates, 1977).

Developed Areas. A portion of the site is developed with former quarry-related uses and a portion contains Santa Clara County Corporate Yard facilities and Caltrans tractor storage. There are remnants of the former use of the site as a quarry and as the Santa Clara County Congress Springs Landscape Yard, including: aboveground storage tanks, remnants of the loading station construction debris, a concrete water tank, metal storage containers, demolished cars, wooden storage tanks, abandoned drums, outdoor eating areas for site employees, a small wooden shelter, concrete lined tunnels filled with construction debris, remnants of a concrete foundation of a conveyor belt system, stone steps leading to an artificial waterfall, and a man-made pond used for site employee functions. The County of Santa Clara has not used the site for employee functions since 1999.

Existing Plans. The property is designated as “Regional Park, Existing” in the Santa Clara County General Plan and pre-designated as Open Space-Hillside in the City of Saratoga General Plan. The property is in an area identified in existing plans (i.e., the City of Saratoga Open Space/Conservation Element, 2007 and the City of Saratoga Circulation and Scenic Highway Element, 2010) for a future public trail corridor. This trail corridor is referred to as the Saratoga-to-the-Sea Trail and would connect to the Skyline-to-the-Sea Trail, which currently begins at Saratoga Gap on the crest of the Santa Cruz Mountains. The property is zoned HS-D1 (Hillside Design Review) by Santa Clara County and pre-zoned Residential-Open Space by the City of Saratoga.

III. Project Goals and Objectives

The key goal of the project is to enhance protection of and eventual access to open space and recreation areas to benefit residents in Saratoga. Specific objectives of the project include the following:

- Retain open space lands in public ownership.
- Preserve open space areas for the purpose of protecting viewsheds and natural resources.
- Preserve open space areas for the purpose of providing recreational space for the City’s and County’s residents.
- Preserve natural vegetation for the purpose of sequestering carbon, and thus, reducing the effects of climate change.
- Acquire land for planning and development of the Saratoga-to-the-Sea trail as contemplated by the City’s General Plan.
- Improve public health.

- Provide an opportunity to develop a management plan that would improve public health, promote open space access, and enhance connectivity to neighboring communities.

IV. Proposed Project

This Initial Study/Negative Declaration (IS/ND) analyzes the potential impacts of the City of Saratoga's acquisition of the 64.5 acre Congress Springs Property for open space, recreation, and trail uses with joint funding from the Midpeninsula Regional Open Space District and the County of Santa Clara and approval of a conservation easement over the Property in favor of the Midpeninsula Regional Open Space District and the County of Santa Clara Parks and Recreation Department. No Management Plan has been prepared for the property which will be maintained in its current condition, with no public access or changes to land use until a Management Plan is adopted. Implementation of future trail or recreation facilities that require future design and construction (e.g., construction of hiking/bicycle trails) will be subject to further environmental review of project-level impacts under CEQA at the time such facilities are included in a proposed Management Plan for this site.

The project includes the following elements:

- 1) the City's purchase of the project site from Santa Clara County;
- 2) granting a conservation easement from the City to the Midpeninsula Regional Open Space District and to Santa Clara County;
- 3) a General Plan Amendment to change the site's designation from Open Space – Hillside to Open Space – Outdoor Recreation; and
- 4) a Zoning Ordinance amendment to add a zoning overlay of Agriculture Reserve/Open Space.

Project Approvals/Entitlements

The following approvals would be required as part of the project:

- Approval of Site Purchase and Sale by City and Santa Clara County Roads and Airports Department;
- City approval to grant a conservation easement to the Midpeninsula Regional Open Space District and to Santa Clara County Parks and Recreation Department.
- General Plan Amendment – to change the site's designation in the Land Use Element from Open Space – Hillside to Open Space – Outdoor Recreation and include text cross-referencing the Saratoga to the Sea Trail in the Open Space/Conservation and Traffic and Circulation Elements; and
- Zoning Ordinance Amendment -- to add a zoning overlay of Agriculture Reserve/Open Space.

C. ENVIRONMENTAL ANALYSIS

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project.

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

Determination. (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

John Cherbone
Signature

6/21/11
Date

John Cherbone, Public Works Director
City of Saratoga

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

Discussion:

The proposed project would result in the City’s acquisition and continued routine maintenance of the property and would not result in physical changes or construction. Thus, the project would not result in adverse impacts to scenic resources or visual character of the area.

Highway 9 is roughly adjacent to the northern edge of the property and is officially designated as a State Scenic Highway Corridor from the Los Gatos city limit (east of Saratoga) to Highway 35/Skyline Boulevard¹. The proposed project does not include any portions of a County scenic roadway. Implementation of the proposed project would not result in the removal of trees, rock outcroppings or historic buildings, therefore the project would not have a significant impact related to damage of scenic resources.

The proposed project does not include the installation or use of lights, or large areas of reflective material. Therefore, the proposed project would not adversely affect day or nighttime views in the surrounding, predominantly residential neighborhoods.

¹ City of Saratoga Circulation and Scenic Highway Element page 24.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

II. AGRICULTURAL RESOURCES AND FOREST

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

- | | | | |
|--|--|--|---|
| a) 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 a non-agricultural use? | | | ✓ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | ✓ |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | ✓ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | ✓ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | | | ✓ |

Discussion:

The 64.5-acre property is a former quarry site characterized by steep slopes and unstable soils. The site is not shown as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) on the

maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There is no Williamson Act contract applicable to the property. The Project would not rezone forest land or timber land and would maintain the site as open space. The acquisition of the property, approval of a conservation easement, and conforming planning and zoning amendments would not result in a conflict with existing zoning or cause rezoning of forest or timber lands. Therefore, implementation of the proposed project would not convert agricultural land to non-agricultural uses and would not conflict with existing agricultural uses or Williamson Act contracts. The project would not convert forest lands to non-forest use. Transferring ownership of the property and retaining it in open space would not result in the extension of infrastructure into an undeveloped area, the development of urban uses on a greenfield site, or other physical changes that would result in the conversion of farmland to non-agricultural uses.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				✓
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				✓
d) Expose sensitive receptors to substantial pollutant concentrations?				✓
e) Create objectionable odors affecting a substantial number of people?				✓

Discussion:

The project does not propose physical changes or construction. Implementation of the project would result in approval of a conservation easement retaining the site in open space in perpetuity. This would in turn, ensure the preservation of the vegetation and carbon sequestration properties of that vegetation and benefit regional air quality. Therefore, implementation of the project is not expected to result in significant increases in any use that could result in significant adverse impacts to air quality.

The City’s acquisition of the site would not violate air quality standards, affect the City’s ability to comply with air quality plans, result in a considerable increase of a criteria pollutant, expose receptors to substantial pollutant concentrations, nor create objectionable odors to a substantial number of people. By prohibiting public access or improvements until a Management Plan is prepared the project maintains the status quo.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

IV. BIOLOGICAL RESOURCES. Would the project:

- | | |
|--|---|
| a) 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 Game or U.S. Fish and Wildlife Service? | ✓ |
| b) 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 Game or U.S. Fish and Wildlife Service? | ✓ |
| c) 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? | ✓ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ✓ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ✓ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan? | ✓ |

Discussion:

The project will ensure that the property is maintained as open space subject to a conservation easement. As such, implementation of the proposed project would not result in physical changes or construction.

Therefore, implementation of the project is not expected to result in significant adverse impacts to biological resources on the site.

No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA, which would include analysis of potential impacts to existing vegetation and potentially jurisdictional waters.

Because the proposed project would not result in physical changes or construction, implementation of the project would not result in adverse impacts to biological resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?				✓
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d) Disturb any human remains, including those interred outside of formal cemeteries?				✓

Discussion:

The project site includes remnant structures from previous quarry uses on the property. The proposed project would not result in any physical changes on the site. The project does not involve construction or excavation so it will not result in a change to an historical, archaeological, or paleontological resource or result in the disturbance of human remains. No Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA, which would include analysis of potential impacts to existing structures on site. Therefore, the project would not result in adverse impacts to cultural resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				✓

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?				✓
iii) Seismic-related ground failure, including liquefaction?				✓
iv) Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?				✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

Discussion:

The project site is underlain by active landslide debris and underlain by bedrock of the Franciscan Complex and/or Santa Clara Formation. The proposed project does not involve construction or excavation that could result in significant adverse impacts related to geology and soils. No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA, which would include analysis of potential impacts related to unstable soils on site.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---------------------------------------	---	-------------------------------------	------------------

VII. GREENHOUSE GAS EMISSIONS. Would the project:

- | | |
|--|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ✓ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ✓ |

Discussion:

The project will ensure that the property is maintained as open space subject to a conservation easement. As such, implementation of the proposed project would not result in physical changes or construction. Therefore, implementation of the project is not expected to generate greenhouse gas emissions or conflict with any applicable plan or regulation adopted for the purpose of reducing greenhouse gas emissions.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---------------------------------------	---	-------------------------------------	------------------

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- | | |
|--|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ✓ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ✓ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ✓ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ✓ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ✓ |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

Discussion:

The following section is based on a Phase I Environmental Site Assessment² and a Phase II Soil Investigation³ prepared by Baseline Environmental Consulting published in March 2010.

The project does not include any construction or other work that would involve the routine transport, use, or disposal of hazardous materials and the Conservation Easement to be adopted as part of the project would preclude any such use. The project site is underlain by bedrock of the Franciscan Complex and/or Santa Clara Formation. Franciscan Complex is associated with serpentine rock, which may contain naturally-occurring asbestos.

The Phase I Environmental Site Assessment conducted by Baseline Environmental Consulting identified the following hazardous materials issues of concern on the project site: 1) potential release of naturally-occurring asbestos from serpentine rock encountered during former quarry activities on the project site; 2) potential petroleum hydrocarbons and/or hazardous substances in shallow soils beneath the abandoned car near the entrance to the Project site and Highway 9; and 3) potential petroleum hydrocarbons and/or other hazardous substances in shallow soils beneath and around abandoned drums. In response to these concerns, Baseline conducted a Phase II Soil Investigation to determine whether potential site soil contamination is present at the site that would require special soil management or disposal.

The Phase II Soil Investigation included the collection and analysis of soil samples taken in the vicinity of the former quarry operation equipment, an abandoned car (which has been removed), and abandoned drums. Surface soil samples were analyzed for asbestos in accordance with California Air Resources Board approved methods. Shallow soil samples were analyzed for a range of total petroleum hydrocarbons, volatile organic compounds, and total metals. The analytical results for the shallow soil samples were compared to the San Francisco Bay Regional Water Quality Control Board (Water Board) Environmental Screening Levels (ESLs) for residential and commercial land uses (Water Board, 2008) and

² BASELINE Environmental Consulting, March 2010. Phase I Environmental Site Assessment, Congress Springs Quarry.

³ BASELINE Environmental Consulting, March 2010. Phase II Soil Investigation, Congress Springs Quarry.

California hazardous waste criteria (22 CCR §66261.24). In addition, total metal results were compared to the Lawrence Berkeley National Laboratory (LBNL) estimates for background metals in the Bay Area (LBNL, 2009).

The results of the soil investigation indicate no evidence of an asbestos release from former quarry operations in the surface soils near the former quarry operations equipment was located (where concentrations would likely be greatest had a release occurred. The investigation did not indicate asbestos levels above the laboratory reporting limits. Concentrations of arsenic and vanadium were identified above the ESLs for residential and/or commercial land uses in all six samples; however, the reported concentrations were below naturally-occurring background metal concentrations and do not indicate a hazardous materials release. No other contaminants of potential concern were identified above the residential ESLs or California hazardous waste criteria; therefore, no additional investigation or special soil management activities are required.

The proposed project does not involve construction or excavation that could result in significant adverse impacts related to disturbance of the serpentine rock. No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA, which would include analysis of potential impacts related to naturally-occurring asbestos in the serpentine rock.

Four school districts serve the vicinity of the project: Cupertino Union School District, Fremont Union High School District, Saratoga Union School District, and the Los Gatos-Saratoga Union High School District. The nearest school site is more than one mile from the project site. In addition, the proposed project does not include facilities that would permanently result in emissions of hazardous materials or the regular handling of hazardous waste. Therefore, the project would not pose a hazard to students at schools in the vicinity of project implementation.

Implementation of the project would not take place within an airport land use plan area, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. The project would not interfere with an adopted emergency response or emergency evacuation plan. Therefore, the proposed project would not result in significant adverse impacts related to hazards.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---------------------------------------	---	-------------------------------------	------------------

IX. HYDROLOGY AND WATER QUALITY. Would the project:

- a) Violate any water quality standards or waste discharge requirements?



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				✓
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				✓
f) Otherwise substantially degrade water quality?				✓
g) 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?				✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?				✓
j) Inundation by seiche, tsunami, or mudflow?				✓

Discussion:

The project will make the site subject to a conservation easement. As such, implementation of the proposed project would not result in physical changes or construction and would thus not impact groundwater resources or infiltration capacity, nor alter drainage patterns in a way that would increase erosion or flooding.

There are no levees or dams in Saratoga and the City is not subject to inundation by seiche, tsunami, or mudflow.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

Discussion:

The proposed project would result in the City’s acquisition of the property and would not result in physical changes or construction. No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA.

The physical division of an established community would typically involve the construction of large features (such as freeways) that then function as physical or psychological barriers between communities, or the removal of roadways (e.g., through the assembly of numerous parcels and the creation of “super-blocks”) such that access from one neighborhood to another is diminished. The acquisition of the property, approval of a conservation easement, and conforming planning and zoning amendments would not result in any physical or psychological barriers. Therefore, the project would not physically divide any residential communities.

The project as proposed includes the following elements: a General Plan Amendment to change the site’s designation from Open Space – Hillside to Open Space – Outdoor Recreation; addition of a zoning overlay of Agriculture Reserve/Open Space; and granting of a conservation easement. These project elements would ensure that the project would not conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project and would not conflict with any adopted habitat or natural community conservation plan. Therefore, the project would not result in any adverse impacts related to land use.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---------------------------------------	---	-------------------------------------	------------------

XI. MINERAL RESOURCES. Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? ✓
- b) 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? ✓

Discussion:

Mineral resources in and around Saratoga are limited primarily to sandstone and shale. The site was formally mined for gravel. The quarry operation was closed in 1967. No active mines are located in Saratoga. The City’s acquisition of the site would not result in adverse impacts to mineral resources. Therefore, implementation of the proposed project would not result in the loss of availability of a known mineral resource.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---------------------------------------	---	-------------------------------------	------------------

XII. NOISE. Would the project result in:

- a) 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? ✓
- b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? ✓
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ✓
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ✓
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ✓

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Discussion:

The proposed project would result in the City’s acquisition of the property and would not result in physical changes or construction; therefore, the project would not result in significant adverse noise impacts. The project site is not located within an airport land use plan or within 2 miles of an airport and is not located within the vicinity of a private airstrip. As such, implementation of the proposed project would not expose persons within the project site to high levels of airport- or airstrip-related noise. Therefore, implementation of the proposed project would not result significant impacts related to noise.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) 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)?				✓
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

Discussion:

Implementation of the proposed project would result in the City’s acquisition of the property and in amendments to the City’s General Plan and Zoning Code to ensure the project’s consistency with those documents. As part of the project, the City would also grant a conservation easement to preserve the site as open space in perpetuity. Thus, the project would not directly or indirectly induce population growth, would not remove existing housing, and would not displace people.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

XIV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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? | ✓ |
| Police protection? | ✓ |
| Schools? | ✓ |
| Parks? | ✓ |
| Other public facilities? | ✓ |

Discussion:

The proposed project would result in the City’s acquisition of the property and approval of a conservation easement over the property.

Fire Protection. According to the City of Saratoga General Plan, the project site is located in an area of extreme fire hazard (see Saratoga General Plan Safety Element, Map 5, Areas of Extreme Fire Hazards). The site is characterized by steep hillsides and dense vegetation, which contribute to fire hazards.

The project would not result in physical changes or construction and does not propose to construct any structures. As such, the project would not elevate risks from fire. Future uses of the site would be limited to open space/recreational use subject to the proposed conservation easement. The proposed project site would continue to be served by the Saratoga Fire District and the Santa Clara County Fire Department. The project site has three existing access points from Highway 9. The main access to the site is located approximately halfway along the frontage of the site and is suitable for emergency vehicles. The second access point is an entrance at the north-east corner over a bridge. The third access point is the entrance immediately west of the main access point. A gravel roadway leads from the third access point to the maintenance yard area, which will be retained by the Santa Clara County Roads and Airport Department for continued use as a maintenance yard. This access point will become part of the County retained property. The project site also has several unpaved roads leading to upper areas of the site. Thus, the project would not increase the risk of fire hazard in the area or result in significant impacts related to increased provision of fire services.

Police Protection. The proposed project would continue to receive crime enforcement services from the West Valley Division of the Santa Clara County Office of the Sheriff. The project does not require

construction or expansion of recreational facilities. No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA. Therefore, the project would not adversely impact crime enforcement services.

Schools. The proposed project does not involve the construction of housing or employment-generating facilities. Therefore, it would not increase demand for school services.

Parks and Other Facilities. The project increases open space in Saratoga and thus would not result in adverse impacts on existing recreational facilities or other public facilities, such as libraries.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

XV. RECREATION.

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

✓

✓

Discussion:

Implementation of the proposed project would result in a net increase in City-owned open space. The No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under CEQA, which would include analysis of proposed recreational facilities. Therefore, the project would not adversely impact recreational facilities or have a substantial adverse physical effect on the environment.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

XVI. TRANSPORTATION/TRAFFIC. Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

✓

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Conflict with adopted polices, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				✓

Discussion:

a) Implementation of the proposed project would result in the City’s acquisition of the property and in amendments to the City’s General Plan and Zoning Code to reflect the open space character of the project. As part of the project, the City would also grant a conservation easement to preserve the site as open space in perpetuity. Therefore, the proposed project would not conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system.

b) Implementation of the proposed project would not result in additional car trips and would thus not conflict with standards established by the Santa Clara County Congestion Management Agency. The project is not expected to substantially increase vehicle trips on any roads or highways in the vicinity of the project site.

c) The project site is not located near an airport and would not result in a change to air traffic patterns.

d) Implementation of the project would not include alteration of roadway configurations or of reconfiguration of ingress and egress to the property. Thus, the project would not substantially increase hazards due to a design feature.

e) The project site has an existing access point from Highway 9 that is of a size adequate for fire and emergency vehicles to access the site. Emergency vehicle access to the site and to sites in the vicinity would be unaffected by the proposed project.

f) The City’s acquisition of the property would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
e) 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?				✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?				✓
g) Comply with federal, State, and local statutes and regulations related to solid waste?				✓

Discussion:

Implementation of the proposed project would not result in physical changes or construction. As such, implementation of the proposed project would not affect wastewater treatment, water supplies, storm water facilities, wastewater treatment capacity, or solid waste disposal capacity and would not require the construction of new wastewater or water facilities, or the expansion of existing facilities. Therefore, the project is not expected to result in adverse impacts on utilities and service systems.

No public access or construction other than maintenance will be allowed until a Final Management Plan has been prepared for the property; when prepared that plan will be subject to further review under

CEQA, which would include analysis of any impacts resulting from alteration of drainage patterns or construction of stormwater facilities associated with the Management Plan.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

XVIII.MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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? ✓
- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) ✓
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ✓

Implementation of the proposed project would not 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. The proposed project would preserve the project site as open space in perpetuity and would thus benefit regional air quality in the long-term.

Other planned and anticipated projects in Saratoga include small-scale residential developments and the revitalization of Saratoga Village. The foreseeable projects in Saratoga would be expected to result in minimal adverse environmental impacts, similar to the proposed project. These impacts could include incremental increases in stormwater runoff, minor disturbances to urban wildlife, and other effects typical of projects undertaken in already-developed areas. The impacts of the proposed project are individually limited and not cumulatively considerable in the context of impacts associated with other pending or planned projects. Therefore, all environmental impacts that could occur as a result of the proposed project would be at less-than-significant levels.

Implementation of the proposed project would not expose construction workers and the public to soils that have been substantially contaminated by historic railroad and agricultural activities or other significant health risks.

D. REPORT PREPARERS

Carmen Borg, AICP, Urban Planning Consultant, Shute, Mihaly & Weinberger, LLP: *Project Management and Report Production; Project Description; Initial Study Preparation*

E. BIBLIOGRAPHY

Association of Bay Area Governments, 2009. Interactive ABAG (GIS) Maps Showing Dam Failure Inundation. Website: abag.ca.gov/bayarea/eqmaps/damfailure/damfail.html

BASELINE Environmental Consulting, Phase I Environmental Site Assessment, 2010.

BASELINE Environmental Consulting, Phase II Environmental Site Assessment, 2010.

City of Saratoga General Plan, 1983, Safety Element amended in 1987.

County of Santa Clara, Airports Department, 2009. *Airport Master Plans*. Website: www.countyairports.org. July 5.

Governor's Office of Emergency Services, 2009. *GIS - Dam Inundation Maps*. March 30.

Harvancik, Iveta, 2010. Associate Engineer, City of Saratoga. Personal communication with Shute, Mihaly and Weinberger. July.

Mineta San Jose International Airport, 2009. *Airport Fast Facts*. Website: www.sjc.org. July 5.

Santa Clara County Airport Land Use Commission, 1992, Land Use Plan for Areas Surrounding Santa Clara County Airports, amended 2005.

State of California Department of Conservation, Division of Land Resource Protection, 2006. Important Farmland Map.

\\Smw01\vol1_data\SARATOGA\Public Works\Quarry Acquisition\Initial Study\Public Draft Quarry IS (06-10-11).doc