SECTION 4.0 ENVIRONMENTAL CHECKLIST AND DISCUSSION OF 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 feasible measures that will minimize, avoid, or eliminate a significant impact (CEQA Guideline 15370). Measures that are required by law, are City standard conditions of approval, or are included in the project that will further reduce or avoid already less than significant impacts are categorized as "Avoidance Measures."

4.1 AESTHETICS

4.1.1 Setting

As shown on Figure 3, the project site is located in a suburban area of west Cupertino. Adjacent land uses include single-family residential uses (the Scenic Circle neighborhood) and public park/open space. The majority of the project alignment is located within the floodplain of Stevens Creek, which is a relatively natural setting. The site slopes down from Scenic Circle to a flat area on the west side of the creek. This area was previously used as a picnic area, but was recently planted with native vegetation. The sloped area is vegetated with oak trees and various ornamental trees. In the project vicinity, Stevens Creek has moderately incised banks and is lined with predominantly sycamores, oaks, redwoods and pine trees. On the east side of the creek, there is a creek trail and a children's play area within Blackberry Farm Park.

The visibility of the project site is generally limited to the immediately surrounding area. The project area is not visible from a scenic vista, although views of the site are available from the residents in the Scenic Circle neighborhood across from the proposed access point and from public open spaces, including Blackberry Farm Park and the creek trail. The existing pedestrian bridge is not readily visible to the residential uses due to the presence of mature trees lining Scenic Circle and the creek corridor. The site is not located adjacent to or within view of a designated state scenic highway.[8]

Stevens Creek Corridor is considered an important scenic resource in the City of Cupertino. As described in Section 4.11 *Land Use*, the proposed project is subject to Cupertino General Plan policies and Santa Clara County design guidelines that are intended to promote land use and visual compatibility with surrounding land uses.

Views of the project area are shown in Photographs 1-4 on the following pages.

[8] California Department of Transportation. "California Scenic Highway Mapping System." Accessed October 1, 2010. <http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm>

Photo 1 - View of the existing fence lining the north side of Scenic Circle. The proposed access point to the trail connection would be constructed in this general location.

Photo 2 - View of the project site, looking southeast from the existing pedestrian bridge. The project proposes to construct the trail connection in this area. Upland plantings can be seen in the center of the photo.

PHOTOS 1 AND 2

Photo 3 - View of the existing pedestrian bridge, looking south from the creek trail through Blackberry Farm Park. The existing stairs (shown in this photo) would be replaced with a wooden approach ramp.

Photo 4 - View of the existing trail through Blackberry Farm Park. The pedestrian bridge can be seen in the center of this photo.

PHOTOS 3 AND 4

4.1.2 Environmental Checklist and Discussion of Impacts

AESTHETICS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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 would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	☐	1

The proposed project includes the construction of:

- an approximately 270-foot long trail consisting of crushed or decomposed granite or another similar material;
- wooden approach ramps at each end of the existing pedestrian bridge;
- a short wooden stairway extending upstream from the bridge on the easterly side of the creek;
- an access point at Scenic Circle with a new gate in the chain-link fence; and
- a retaining wall and/or other slope stabilization measures in the sloped area.

The project also proposes to replace the existing gate in the fence opposite of 10432 Scenic Circle with matching fencing. Trail-related signage may be provided on the west side of the creek. The project does not include night lighting, reflective surfaces, or any other feature that would create a new source of light or glare.

Construction of the project would require the removal of approximately two young oak trees (seven inches and three inches in diameter) and approximately three saplings on the site. The project, however, has been designed to minimize tree removal and includes the planting of two replacement trees and additional understory vegetation, which would enhance the visual quality of the area over time. Furthermore, the majority of mature trees in the site vicinity would remain. The materials used for project construction (e.g., wood and crushed or decomposed granite) would be consistent with the natural character of the project area. Therefore, the proposed tree removals and trail construction would not substantially affect the visual quality of the Stevens Creek Corridor.

The visibility of the proposed trail and associated features would be limited to the immediately surrounding area. The improvements would be most visible to the adjacent residential and park uses. The proposed at-grade access point on Scenic Circle would be located at the approximate midpoint

between two residences. It would face the side yards of these houses, rather than front yards, to reduce the visual effect of the access point on these uses. Proposed trash/recycling receptacles would be located out of sight from residences. Existing trees and chain-link fencing would serve as visual buffers between the trail and nearby residences. For these reasons, construction of the proposed access point, trail, and associated features would not substantially change the visual character of the residential area.

The minor improvements proposed for the easterly side of the creek (i.e., the construction of approach ramps and landings to the existing pedestrian bridge) would be visually compatible with the existing and planned park and trail facilities. The project would not adversely affect views from Blackberry Farm Park or the existing trail east of the creek. By constructing a trail connection through an open space area and utilizing an existing pedestrian bridge, the project would provide additional public viewpoints of the Stevens Creek Corridor, an important scenic resource.

While the determination of aesthetic impacts is somewhat subjective, it is concluded that the proposed project would not significantly degrade the existing visual quality of the site and its surroundings. The project has been designed to be compatible with the surrounding neighborhood and natural environment to the extent possible by taking into account community feedback and complying with applicable guidelines and Cupertino General Plan policies intended to promote visual compatibility.

For these reasons, the proposed project would not result in a significant aesthetic impact to the surrounding land uses.

4.1.3 Conclusion

The proposed project would not degrade or substantially change the existing visual character or quality of the project site and its surroundings, including the residential neighborhood and public park. Therefore, the project would have a less than significant aesthetic impact and no mitigation measures are required or proposed. **(Less than Significant Impact)**

4.2 AGRICULTURAL AND FOREST RESOURCES

4.2.1 Setting

The project area is located within a suburban area of Cupertino. While the area was used for agriculture prior to residential development, there are no commercial farms in the project area. The Stocklmeir property, located about 0.25 miles north of the site, is the only remaining orchard along Stevens Creek from Cupertino to the San Francisco Bay.[9] McClellan Ranch, located approximately 1,000 feet south of the site, contains community gardens.

There are no properties in the project area, including the site, that are under a Williamson Act contract or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[10]

According to Section 12220 (g) of the Public Resources Code, forest land is defined as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." Based on this definition, the oak woodland habitat that occurs within the project site would be considered forest land due to the presence of native tree species and the numerous public benefits the riparian corridor of Stevens Creek provides to Cupertino, including wildlife habitat and public open space for recreational use and aesthetic enjoyment.

4.2.1.1 *Zoning and General Plan Land Use Designations*

The project site is designated as *Parks and Open Space* under the City of Cupertino's General Plan and is zoned *PR – Park and Recreation* and *R1-7.5, Single-Family Residential*. One objective of the *Parks and Open Space* designation is to protect natural resources, including riparian habitat. In addition to parks and recreational facilities, agricultural uses are also permitted in the *Park and Recreation* zoning district.

The City of Cupertino does not have a zoning district intended directly for forest or timberland. Title 13 of the Municipal Code, however, includes standards for the protection of trees, wildlife, and other natural resources and within public parks. Parks characterized by unique natural features may be designated by the City Council as a nature and/or rural preserve to maintain the ecology of the area and conserve the scenic values. McClellan Ranch Park, located approximately 0.25 miles south of the project site, is a designated nature/rural preserve in the City.

[9] City of Cupertino. *Stevens Creek Corridor Park IS/MND*. June 2006.
[10] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. *2008 Santa Clara County Important Farmland Map*. 2009.

4.2.2 Environmental Checklist and Discussion of Impacts

AGRICULTURAL AND FOREST RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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?	☐	☐	☐	☒	☐	1, 3
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐	1, 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))?	☐	☐	☒	☐	☐	1, 4
4) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐	☐	1
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, 3

The project site is not designated or zoned for agriculture and is not under a Williamson Act contract. The proposed project would not affect any properties zoned, designated as Farmland by the State, or actively used for agricultural purposes.

The project site is not specifically zoned for forest or timberland, although it is zoned and designated as *Park and Recreation* and *Parks and Open Space*. The land use designation of *Parks and Open Space* is intended to ensure the availability of land for the preservation of natural resources, including forest lands. The project would not conflict with general standards related to forest resources per the *Park and Recreation* zoning, which is intended to allow a range of recreational facilities for public use, including trails. The project would not affect the natural features, scenic values, or community resources for which McClellan Ranch Park has been designated as a nature/rural preserve.

Construction of the proposed trail would require the removal of two small oak trees and approximately three saplings within the oak woodland area on the site. As described in Section 4.4 *Biological Resources*, the project proposes to mitigate the loss of habitat by planting two native

replacement trees and additional understory vegetation within the site vicinity. In addition, mitigation and avoidance measures will be implemented during project construction to protect trees to remain within the site, minimize potential effects on the water quality of Stevens Creek, and avoid impacts to protected animal species. Therefore, the project would not result in significant impacts to fish, wildlife, or biodiversity.

The proposed trail would provide increased views of the Stevens Creek Corridor and would not adversely affect the aesthetic quality of the area (refer to Section 4.1 *Aesthetics*). The proposed trail is intended to increase access to open space and parkland; therefore, the project would enhance the area's value as a recreational resource. The proposed project would not result in the conversion of forest land to non-forest use.

4.2.3 Conclusion

The proposed project would not affect agricultural resources. **(No Impact)**

The proposed project would not result in a significant impact to forest resources. **(Less than Significant Impact)**

4.3 AIR QUALITY

4.3.1 Setting

4.3.1.1 *Background Information*

Ozone and particulate matter are considered the primary pollutants of concern in the Bay Area. These are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. Ozone, also called photochemical smog, is formed by a chemical reaction between ozone precursors, primarily reactive organic gases (ROG) and nitrogen oxides (NO_x), in the presence of sunlight. Particulate matter consists of solid and liquid particles of dust, soot, aerosols and other matter which are small enough to remain suspended in the air for a long period of time. Combustion sources (i.e., automobiles, fires, power plants, and factories) tend to generate fine particles ($PM_{2.5}$), whereas fugitive dust (such as from cars traveling on unpaved roads) generally consists of larger, "coarse" particles (PM_{10}).[11] Motor vehicle use is a major mobile source of ozone precursors and particulate matter in the Bay Area.

4.3.1.2 *Regulatory Framework*

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the national or state ambient air quality standards are not met as "non-attainment areas". State standards are generally more stringent than national standards. Under the California Clean Air Act, the Bay Area is designated as a non-attainment area for the ozone, PM_{10}, and $PM_{2.5}$ standards. In addition, the region was recently designated as non-attainment for the national 24-hour $PM_{2.5}$ standard. All other pollutants are designated as "attainment" or "unclassified" for state and national standards.

The region is required to adopt a clean air plan (CAP) on a triennial basis that shows progress towards meeting state air quality standards. The *Bay Area 2010 Clean Air Plan*, which was adopted in September 2010, serves as the region's current CAP.[12] The CAP provides a strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan. The CAP establishes emission control measures to be adopted or implemented in the 2010-2012 timeframe.

In June 2010, the Bay Area Air Quality Management District (BAAQMD) adopted the *CEQA Air Quality Guidelines* as an update to its previous CEQA Guidelines (1999). Under the new thresholds of significance, projects that generate more than 10 tons per year of ROG, NO_x, or $PM_{2.5}$ or 15 tons per year of PM_{10} would have a significant impact on regional air quality. The BAAQMD guidelines also established thresholds of significance for construction-related emissions and screening levels for a Lead Agency to use as an indication of whether a proposed project would result in a construction-related air quality impact. Although the guidelines do not specify a screening level for the construction of transportation or infrastructure projects (such as the proposed trail connection project), the screening level for most land uses is 277,000 square feet of development. This screening level takes into account the on-site construction of roadways and the installation of project infrastructure.[13]

[11] BAAQMD. "Particulate Matter." Accessed April 13, 2010. <http://www.baaqmd.gov/Divisions/Planning-and-Research/Particulate-Matter.aspx>
[12] The CAP is available at: http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans/Clean-Air-Plans.aspx.
[13] BAAQMD. *CEQA Air Quality Guidelines*. June 2010. Page B-11.

4.3.1.3 *Sensitive Receptors*

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (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. Sensitive receptors in the site vicinity include the single-family residences along Scenic Circle.

4.3.2 Environmental Checklist and Discussion of Impacts

AIR QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐	☒	1, 5, 6
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐	1, 5
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, 5
4) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☐	1, 5
5) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐	1, 5

4.3.2.1 *Long-term Impacts*

The operational effects of the proposed project on long-term air quality would be associated with vehicle trips. As described in Sections 4.17 *Transportation*, the construction of a trail connection would not generate a significant number of additional vehicle trips in the project area. Rather, the proposed trail project could result in a small reduction in vehicle use by providing alternative, non-motorized means of transportation for residents to access parks and schools in the area. Given that the project is intended to reduce vehicle trips, it would not approach or exceed BAAQMD's thresholds for the generation of criteria air pollutants and ozone precursors. Therefore, the proposed trail project would not result in significant long-term air quality impacts.

The *Bay Area 2010 Clean Air Plan* identifies the improvement of pedestrian and bicycle access and facilities as Transportation Control Measures (TCMs), which are strategies intended to reduce motor vehicle emissions. The proposed construction of a trail connection would be consistent with the CAP's goals for reducing vehicle use, given that it would expand the network of pedestrian and bicycle facilities in the area and make non-motorized travel safer and more accessible. The project is also consistent with the TCM for providing safer routes to school. By supporting implementation of the regional CAP, the proposed project would result in a beneficial effect on long-term air quality in the region.

4.3.2.2 *Construction-Related Impacts*

The project includes the construction of an approximately 270-foot long, eight-foot wide trail and associated improvements. It is anticipated that approximately four months would be required for project construction. Activities such as grading operations, construction vehicle traffic, and wind blowing over exposed earth would generate short-term exhaust and fugitive dust emissions. Materials used during construction activities could be a source of ROG. The operation of construction equipment has the potential to generate odors.

Construction activities could temporarily affect local air quality by causing a short-term increase in particulate matter and other emissions. Dust generated during ground disturbing activities could create temporary annoyances to residential uses downwind of the site. Project construction, however, would not require a substantial amount of grading or construction vehicles that could have a significant effect on local air quality. For these reasons, project construction would not expose sensitive receptors in the area to substantial sustained pollutant concentrations or objectionable odors.

The footprint of the proposed trail and associated ramps would be approximately 2,500 feet, while project construction would affect approximately 22,000 square feet (about half an acre) of land. Given the size and scope of the proposed project relative to a 277,000-square foot land use development (the typical screening level), the average daily emissions of criteria air pollutant and precursors resulting from projection construction would not approach or exceed the thresholds of significance for a *regional* construction-related air quality impact. Regardless of whether or not a threshold is exceeded, BAAQMD recommends the implementation of "basic construction mitigation measures" for all projects in the Bay Area. Although construction of the proposed trail connection would not result in a significant air quality impact, the project proposes to implement these measures to further reduce the potential for adverse effects on nearby uses.

Avoidance Measures: The following measures will be implemented during project construction:

- All exposed surfaces (e.g., unpaved parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered daily during dry weather or as needed to control dust.
- Haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- Mud or dirt track-out onto adjacent public roads shall be removed consistent with Division 1 of the City's standard specifications.
- All vehicle speeds on unpaved roads shall be limited to 10 mph.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.

4.3.3 Conclusion

The proposed project would not result in long-term regional air quality impacts. Short-term, construction-related air quality impacts would not be significant. Implementation of the above described measures will further reduce or avoid short-term air quality impacts associated with the construction of the proposed project. **(Less than Significant Impact)**

4.4 BIOLOGICAL RESOURCES

The following discussion is based upon the biotic reports completed in 2006 for the Stevens Creek Corridor Park IS/MND by TRA Environmental Sciences (formerly Thomas Reid Associates) and H.T. Harvey & Associates, as well as pre-construction surveys and construction observation during Phase I of the Stevens Creek Corridor Park and Restoration Project.

4.4.1 Setting

4.4.1.1 *Regulatory Framework*

As it relates to land use decisions, "biological resources" generally include plant and animal species and the habitats that support such species. The avoidance and mitigation of significant impacts to biological resources under CEQA is consistent with – and complementary to – various federal, state, and local laws/regulations that are designed to protect such resources. These regulations often mandate that project sponsors obtain permits prior to the commencement of development activities, and require sponsors to implement measures that avoid and/or mitigate impacts as permit conditions. Table 1, below, summarizes many of these laws and regulations.

Table 1
Regulation Of Biological Resources

Law/Regulation	Objective(s)	Responsible Agencies
Federal Endangered Species Act	Avoid harm to such species and their habitat and, ultimately, to restore their numbers to where they are no longer threatened or endangered.	NOAA NMFS, USFWS
California Endangered Species Act		CDFG
Federal Migratory Bird Treaty Act	Protect migratory birds, including their nests & eggs.	USFWS
California Fish & Game Code Section 3503.5	Protect birds of prey, including their nests & eggs.	CDFG
Federal Clean Water Act	Avoid/mitigate impacts to wetlands and other "waters of the United States" including streams, lakes, or bays.	US EPA, USACE, RWQCB
Porter-Cologne Water Quality Control Act	Avoid/mitigate water quality impacts to waters of the State and US.	SWRCB, RWQCB
California Fish & Game Code Sections 1600-1616	Avoid/mitigate impacts to rivers, streams, or lakes.	CDFG
City of Cupertino Tree Ordinance	Avoid/mitigate impacts to heritage and protected trees	City of Cupertino

NOAA NMFS = National Oceanic & Atmospheric Administration, National Marine Fisheries Service; USFWS = U.S. Fish & Wildlife Service, CDFG = California Department of Fish & Game, US EPA = U.S. Environmental Protection Agency, USACE = U.S. Army Corps of Engineers, RWQCB = Regional Water Quality Control Board, SWRCB = State Water Resources Control Board

The project site is not located within an area protected by an approved habitat conservation plan.

City of Cupertino Tree Ordinance

The City of Cupertino Tree Ordinance (Ordinance No. 07-2003, Chapter 14.18 of the Cupertino Municipal Code) requires a permit to remove protected trees from public or private property. Protected trees include all trees of the following species that have a minimum single-trunk diameter of 10 inches (31-inch circumference) or minimum multi-trunk diameter of 20 inches (63-inch circumference) measured at 4.5 feet from natural grade: Coast live oak, Valley oak, Black oak, Blue oak, Interior live oak, California buckeye, Big leaf maple, Deodar cedar, Blue atlas cedar, California bay, and Western sycamore.

Protected trees also include heritage trees, approved privacy protection plantings in R-1 zoning districts, and trees required to be protected as a part of a zoning, tentative map, or use permit. Application for designation as a heritage tree is referred to the Planning Commission for review and determination in accordance with Chapter 19.124 of the Cupertino Municipal Code. The Planning Commission may, by resolution, designate a tree or grove of trees as a heritage tree(s).

Development projects are subject to Chapter 14.18, Appendix A of the Cupertino Municipal Code: "Standards for the Protection of Trees during Grading and Construction". The removal of protected trees typically requires the planting of replacement trees, in accordance with the Replacement Tree Guidelines in the Cupertino Tree Ordinance.

No heritage trees have been designated within the project area. Several mature oaks and sycamores on or near the site are protected trees under the City of Cupertino Tree Ordinance.

4.4.1.2 *Existing Biotic Habitats*

The project site is located in a developed area of west Cupertino within the Stevens Creek Corridor. Prior to development of the area, the project site was likely composed of mature riparian woodland along the banks of Stevens Creek, with meadows of riparian scrub, seasonal wetlands, and grasslands occurring on the floodplain. Grading, development, and farming over the years have introduced non-native plant species, and dam construction upstream of the project area has resulted in changes to the vegetation composition within the creek and adjacent habitats.

The project area has recently undergone restoration efforts to enhance the aquatic, woodland, and riparian habitats and return the Stevens Creek Corridor to more natural conditions. Restoration activities completed in the site vicinity include the removal of man-made features (three low flow automobile crossings, a dam structure, concrete walls, riprap, etc), channel widening, and planting of native riparian and upland vegetation (refer to Section 3.1.2). The creek channel is approximately 35 feet wide beneath the existing pedestrian bridge. The banks in the project area are moderately steep, dropping between five and 10 feet in elevation from the top of bank to the bottom of the creek channel.

The majority of the project site (the flat area on the west side of Stevens Creek) was previously developed as a group picnic area. The park facilities were removed from the site in 2008. Portions of this area were planted with native upland vegetation as part of restoration efforts under the Stevens Creek Corridor Park Phase I project. An irrigation system was installed and the restoration area is currently being maintained by park staff.

Other habitat types on the project site include oak woodland (in the upland area near Scenic Circle) and ruderal and mixed riparian forest (adjacent to the creek). These habitats include a variety of

native and non-native trees, shrubs, and grasses. The predominant trees species include coast live oak, western sycamore, and redwoods, which were planted adjacent to the bridge. Other species present in the overstory include Monterey pine, Chinese elm, walnut, Tree of Heaven, and various ornamental trees. Riparian vegetation is dense within the Stevens Creek Corridor area; however, at the location of the existing pedestrian bridge, the riparian vegetation has been relatively barren where park activities and specific tree species have suppressed understory species from taking hold along the banks of the creek and within the floodplain.

The project area also includes disturbed/developed areas including the paved roadway of Scenic Circle, the paved trail along the eastern creek bank, the existing metal bridge, and its wooden approach structures. The site is bounded by development to the north and south, including Blackberry Farm Park and the Scenic Circle residential neighborhood. A children's play area is located in the immediate site vicinity on the opposite side of the existing creek trail within the park.

Wildlife

Riparian habitat is of high value to wildlife in California, due to the foraging, cover, and nesting opportunities provided by the year-round water supply and diverse habitat structure (including tree, shrub, and herbaceous layers). Oak woodland also provides substantial nesting and foraging habitat for a variety of species. The central portion of the site that was formerly picnic grounds currently provides limited value to wildlife, although this area is expected to provide higher quality woodland habitat when the native shrubs and trees that were recently planted reach maturity.

Terrestrial animals known to occur in the project area include raccoons, Columbian blacktail deer, striped skunk, broad-footed mole, coyote, San Francisco dusky-footed woodrat, bobcat, feral cat, and a variety of songbirds. Birds known to breed within the project area include House Finch, Chestnut-backed Chickadee, Western Wood-Pewee, Black Phoebe, White-breasted Nuthatch, Brown Creeper, Nutall's Woodpecker, Warbling Vireo, Western Scrub Jay, American Robin, Anna's Hummingbird, Pacific-slope Flycatcher, and Oak Titmouse. Raptors that may nest within the riparian corridor and/or forage in adjacent habitats include White-tailed Kite, Red-shouldered Hawk, Cooper's Hawk, Screech Owl, and Barn Owl. Bat species detected in 2004 and 2005 during surveys of the Stevens Creek Corridor Park project area include big brown bats, Mexican free-tailed bats, and Yuma myotis.

The reach of Stevens Creek within the project area provides habitat for native aquatic species including the threespine stickleback, California roach, Sacramento sucker, and steelhead/rainbow trout, and nonnative species such as the red swamp crayfish and signal crayfish.

4.4.1.3 *Special-Status Species*

Several special-status plant species are known to occur in the region, typically in open grassland, chaparral, and woodland habitats. Field surveys were completed for Western leatherwood to determine its presence within Stevens Creek Corridor Park; this species was not detected in any area proposed for restoration and is assumed to be absent from the corridor. It was determined that no special-status plant species are expected to occur within the project area, primarily due to a lack of suitable habitat.

According to literature search previously completed for the Stevens Creek Corridor Park project, a number of special status animal species were identified as having the potential to be present within the project area. These species included: California red-legged frog (USFWS Threatened and California Species of Special Concern), California tiger salamander (USFWS Threatened and California Species of Special Concern), Western pond turtle (California Species of Special Concern),

Foothill yellow-legged frog (California Species of Special Concern), Central California Coast steelhead (NOAA NMFS Threatened), Cooper's Hawk, Burrowing Owl (California Species of Special Concern), Long-eared Owl, Yellow Warbler, White-tailed Kite, pallid bat, and San Francisco dusky-footed woodrat (California Species of Special Concern). Other bat species identified as having potential to occur in the project area include big brown, Mexican free-tailed, and Yuma myotis.

Habitat assessments and/or focused surveys were previously completed for the species having the potential to occur in the project area, listed above. Species observed to be present within the corridor between 2005 and 2008 include steelhead trout, Western pond turtle, White-tailed Kite, Cooper's Hawk, Red-shouldered Hawk, San Francisco dusky-footed woodrat, big brown bat, Mexican free-tailed bat, and Yuma Myotis bat. None of the other species were detected in the corridor and the project area was evaluated as having low to moderate potential to support these species (TRA 2006 and H.T. Harvey 2006).

In addition to these special-status species, the majority of birds occurring in the project area are protected under the federal Migratory Bird Treaty Act and by the California Fish and Game Code. Bats are also protected by the California Fish and Game Code.

4.4.2 Environmental Checklist and Discussion of Impacts

BIOLOGICAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	☐	1, 7, 11
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 Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐	☐	1, 7
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, 7, 11

BIOLOGICAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
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, 7
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	☐	1, 7, 8
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

The proposed trail and associated improvements would be located within Stevens Creek Corridor. Only the proposed approach decks/ramps and stairway would be constructed in the top of bank area. The project includes the removal of two trees: a seven-inch diameter coast live oak and a three-inch diameter coast live oak. These trees are located within the oak woodland habitat adjacent to Scenic Circle. Both trees have limited canopies due to the presence of adjacent larger trees. In addition, approximately three coast live oak saplings would be removed from the habitat restoration area. Minor tree trimming and the removal of low-lying vegetation may be required to accommodate the proposed trail connection.

The proposed project incorporates measures to decrease potential impacts to biological resources, including sensitive habitats and wildlife. These measures include the following:

- The proposed project has been designed in a manner that accommodates and protects existing mature trees and native vegetation to the extent feasible. Existing native vegetation shall be retained by removing only as much vegetation as necessary to accommodate the trail clearing width and installation of proposed improvements.

- Where the layout of the new pathway and bridge approaches conflicts with recently installed native plantings, such plantings shall be transplanted to a nearby suitable location within the project site or shall be replaced with a similar size and type of native plant on the project site.

- Any cut or fill slopes shall be replanted with vegetation native to the general area or reseeded. Criteria that would be used in selecting plant materials include, but are not limited to: if the species is indigenous to the watershed; habitat value; rate of growth; ultimate size; strength of root system; resistance to pests and diseases; aesthetic characteristics; and ease of maintenance.

4.4.2.1 *Impacts to Sensitive Habitats*

The limited areas of riparian and aquatic habitat on and adjacent to the project site are considered sensitive natural communities. Coast live oak woodland is not considered a sensitive community by the California Department of Fish and Game (CDFG), but is still valued locally as a biological resource. No other natural communities of special concern occurring in the region are present in the site vicinity.

Most of the proposed 270-foot long trail would be constructed within the former picnic area. As described above, portions of this area have been planted with native upland vegetation. Impacts to this restoration area are discussed in conjunction with impacts to the oak woodland habitat, below.

Riparian Habitat

As previously described, although dense riparian vegetation exists in the project area, at the location of the existing pedestrian bridge, the riparian habitat currently lacks established understory vegetation along the creek banks. No streamside riparian trees or creek bank vegetation would be removed or affected by the project for construction of the proposed approach ramps/decks and stairway. Therefore, the project would not result in a significant impact to the on-site riparian habitat.

Aquatic Habitat

No work would occur within the active stream (low-flow channel) of Stevens Creek. The proposed project would not directly affect any federally protected wetlands or aquatic habitat within the creek. However, construction activities such as grading and vegetation removal could result in temporary impacts to surface water quality if sediments or chemicals are allowed to discharge into the creek. With implementation of the avoidance measures listed below and in Section 4.8 *Hazards and Hazardous Materials,* the project would not result in significant impacts to aquatic habitat and no additional mitigation measures are required.

Avoidance Measures: The following standard Best Management Practices (BMPs) will be implemented to minimize project impacts to aquatic habitat and water quality:

- Construction equipment will be staged in upland and/or currently developed or disturbed areas to avoid disturbance to sensitive habitat areas and reduce the potential for sediment and materials to enter the creek.

- No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the U.S. or State (Stevens Creek).

- Fiber rolls and/or silt fencing will be placed near the bridge during construction to help prevent sediment and debris from entering the creek.

- The following BMPs from the Santa Clara Valley Water District (District) *2005 BMP Handbook* would be implemented as needed during project construction to avoid impacts to aquatic habitat and water quality:[14]

  WQ-5 Soil Stockpiles
  WQ-18 Site Maintenance and Cleanup
  WQ-41 Erosion and Sediment Control Measures

Oak Woodland Habitat

Construction of the project would result in direct (removal) and indirect (trimming, root impacts, soil compaction) impacts to mature oak woodland habitat and a small portion of the upland habitat restoration area. Construction of the trail could require removal of a small amount of oak woodland understory vegetation, primarily near the Scenic Circle embankment. In addition, construction of the trail and bridge approach ramps and stairway could require the removal of a small amount of recently planted native vegetation in the upland habitat restoration area. Project impacts to the mature and recently planted oak woodland habitats on the site, however, would not be considered significant for the following reasons:

- While coast live oak is a native species, it is a regionally and locally abundant species. The oak trees to be removed are relatively small in size, and other more mature trees located within the oak woodland habitat in the project area would be preserved. Therefore, the proposed tree removal would not substantially affect the habitat value.

- As described above, any recently planted upland vegetation that is removed will be transplanted or replaced with similar native plantings on the project site. Any oak woodland understory vegetation that is removed will be replaced with native vegetation to provide similar habitat value to the area affected. The project also includes the planting of two native container-size replacement trees and dozens of additional native understory plantings on the site. These measures are intended to offset the loss of the two oak trees, saplings, and approximately 2,500 square feet of former picnic area and oak woodland understory habitat upon which the proposed trail connection would be constructed.

- Any cut or fill slopes adjacent to the trail not supported with retaining walls will be reseeded or replanted.[15] The replanting of native vegetation in disturbed areas would minimize the potential for erosion and the establishment of invasive species on the site.

- The project has been designed to avoid permanent impacts to oak woodland habitat by minimizing grading, tree removal, and the area of disturbance to the maximum extent feasible.

- Construction access and equipment staging would occur on paved areas or previously disturbed land, wherever possible. This measure is intended to minimize temporary effects to oak woodland habitat resulting from construction-related soil compaction and disturbances to wildlife.

[14] These measures are described in detail in Appendix A of this Initial Study.
[15] Santa Clara Valley Water District, Santa Clara Valley Water Resources Protection Collaborative. "Guidance for Trail Design" in *Guidelines and Standards for Land Use Near Streams.* August 2005 (revised July 2006).

- Standard tree protection measures will be implemented during project construction, consistent with the Cupertino Tree Ordinance, to reduce and avoid impacts to trees remaining on the site (refer to Section 4.4.2.4).

Indirect Impacts from Increased Recreational Use

Re-opening the project site to public use through construction of a trail connection could have effects on biological resources. Constructing a multi-use creek trail and permitting leashed dogs on the trail has the potential to affect sensitive wildlife and habitat through off-trail use, improper disposal of dog waste, increased sedimentation in the creek, and disturbances to native animals from dogs intruding into adjacent habitats. Recreational users and dogs travelling off the trail could trample vegetation and contribute to the spread of weeds. The accumulation of dog waste could degrade water and soil quality.

Given that the project site was previously used as a group picnic area, the existing pedestrian bridge is currently used by park staff to access the project site for maintenance activities, and the proposed trail connection would provide access to an existing primary trail alignment and is not the primary trail itself, the proposed project is not expected to substantially affect the existing ability of wildlife to use the site. The visual and acoustic disturbance to wildlife associated with the proposed trail use is not expected to be significantly higher than currently exists, and wildlife along the channel is expected to adapt to the new levels of disturbance. Providing a formal, accessible trail connection and a controlled access point to Blackberry Farm Park could decrease the possible creation of new foot trails through sensitive habitats within the corridor.

Avoidance of indirect impacts from future trail use (or misuse) can be achieved through proper management and enforcement. Implementation of measures included in the Stevens Creek Corridor Park project to protect sensitive wildlife and habitat from impacts due to visitor and dog use would further minimize potential impacts of the proposed trail connection.[16] As with the trail through Blackberry Farm Park, the project site will be patrolled and maintained by park staff and rangers.

Avoidance Measures: The project proposes to implement the following measures to reduce potential impacts associated with increased recreational use of the project area:

- Immediately following project construction, the City of Cupertino's Recreation Supervisor for Blackberry Farm shall arrange for City Parks staff and/or rangers to regularly patrol the area to enforce established rules and regulations and provide direction to maintenance crews for clean up of dog waste and litter.

- The new trail connection will be operated under the rules, regulations, and procedures that are in effect for Stevens Creek Trail.

For these reasons, the increase in visitor and dog use the project site would not have a significant long-term effect on sensitive habitats or wildlife.

[16] These measures include a) posting regulatory signs intermittently along the trail; b) patrols by City Parks staff and rangers to enforce the leash law provisions; c) limiting recreational use of the creek channel; e) park cleanup of accumulated dog waste by maintenance crews or other City employees; and f) planting of upland and riparian understory planting.

4.4.2.2 *Impacts to Wildlife Movement and Migration*

The project would not introduce any impediments to aquatic or terrestrial wildlife movement, given that animals would be able to cross over the proposed trail, and the trail design will generally follow existing topography. By increasing the quantity of native upland habitat on the site, the project is consistent with the intent of the Stevens Creek Corridor Park restoration plan to improve the value of the project area as a corridor for wildlife. The proposed project would increase pedestrian and bicycle traffic in the area, although the incremental increase in human activity would not discourage use of the area as a wildlife corridor for the reasons described above in Section 4.4.2.1. Therefore, the project would not substantially affect wildlife movement.

4.4.2.3 *Impacts to Special-Status Plants and Animals*

As discussed above, no special-status plant species are expected to occur on the project site. Therefore, the proposed project would not affect any special-status plant species.

Special-status wildlife species that could potentially be affected by project construction include steelhead, California red-legged frog, Western pond turtle, and San Francisco dusky-footed woodrat, which are protected as Federally Threatened and/or California Species of Special Concern. Other protected wildlife species that could occur in the project area and could be impacted by the project include big brown, Mexican free-tailed and Yuma Myotis bats, as well as nesting birds and raptors, such as the Cooper's Hawk, Red Shouldered Hawk, Barn Owl, and White-tailed kite.

California Red-legged Frog(CRLF), Western Pond Turtle (WPT), and Dusky-footed Woodrat

As previously described, there is potential for the CRLF, WPT, and dusky-footed woodrat to occur on the project site. CRLF is not expected to be present in this section of Stevens Creek. A total of ten CRLF occurrences within a five-mile radius of the project area were reported between 1939 and 2000. Three from 1939 are considered historic, while three of the remaining seven records are from outside the Stevens Creek watershed and are separated by urban development. The closest CRLF sighting was approximately 1.2 miles upstream of the site. Stream systems that support CRLF breeding habitat are typically slow moving with dense aquatic vegetation and this section of Stevens Creek does not provide optimal CRLF breeding habitat. CRLF were not detected during surveys completed in 2005 and it was concluded that there is low potential for CRLF to be present within the Stevens Creek Corridor project area. None were detected during implementation of Phase 1 of the Steven Creek Corridor project in 2008-09. Surveys by Santa Clara Valley Water District have also not found CRLF in this portion of the creek. It is unlikely, but nevertheless possible, that individual CRLF could be detected within the creek or in upland terrain during the rainy season, due to the high mobility of this species.

Three recorded sightings of WPT occurred within a half mile of the site as recently as 2004. The woodrat and WPT were not detected during surveys completed in 2005, and it was concluded at that time that there was a low to moderate potential for woodrat and WPT to be present within the Stevens Creek Corridor Park area.[17] The City Naturalist, however, has seen woodrats in McClellan Ranch in recent years and sighted a WPT on the banks of the creek at McClellan Ranch in 2008.[18] In addition, evidence of woodrat presence was found along the west creek bank during construction of Phase I of the Stevens Creek Corridor Park project.

[17] City of Cupertino. *Stevens Creek Corridor Park Master Plan and Restoration Plan Initial Study*. 2006.
[18] Banfield, Barbara. City Naturalist, City of Cupertino. Personal communication. October 2010.

The project could result in the loss of a very small amount of potential habitat for woodrat and WPT, although the proposed plantings would enhance the quality of habitat in the long-term. In the unlikely event that individual woodrats or WPT and/or their nests are present on the site during construction, ground disturbing activities and operation of heavy equipment and vehicles have the potential to directly impact these species.

Impact BIO-1: If present within the creek or adjacent upland habitat, CRLF, WPT, and/or woodrats could be impacted by construction-related and long-term project activities, including vehicle and human access.

Mitigation Measures: Implementation of the following measures, as well as those listed above in Section 4.4.2.1, would reduce potential impacts to WPT, CRLF, and woodrats to a less than significant level:

MM BIO 1.1 **Preconstruction Survey.** Four days or fewer prior to the start of project activities, a qualified biologist shall perform one daytime survey for CRLF, WPT, and woodrat. The entire work area, including any burrows, rocks and woodpiles that may be disturbed by construction activities, shall be inspected for CRLF, WPT, and woodrat. If CRLF is detected, work shall be delayed and the U.S. Fish and Wildlife Service (USFWS) shall be contacted on how to proceed (since it is a Federally Threatened species).

If during this survey WPT or woodrat are detected, the CDFG should be contacted on how to proceed (since they are State Species of Special Concern). In the past, CDFG has approved protocols for the western pond turtles stating that if a turtle is detected, the turtle will be observed to determine if it is moving through the area in which it was detected or if the animal is occupying the habitat for nesting, foraging, or basking. During construction activities within the immediate area of the turtle detection, an on-site monitor will work with construction crews. If the animal is relocated during construction activities, the monitor will observe the turtle and alert work crews to delay work if it is within the work area or begins to move toward or into the work area. If the turtle appears to be traveling from upland habitat to a nearby aquatic site, work shall cease until the turtle has traveled a safe distance from the immediate project site. The monitor shall observe the animal from a distance to ensure it does not wander back into the work area. If the turtle is relocated and appears to be occupying the habitat within the project footprint for activities such as nesting, basking, or foraging, the City or its representatives will contact CDFG for guidance.

If during this survey San Francisco dusky-footed woodrat are detected, the CDFG should be contacted on how to proceed (since they are State Species of Special Concern). These mammals live year round in their houses, which are essential for their survival. Woodrats dwell in moderately-dense to dense riparian habitats, such as those found along portions of Stevens Creek. CDFG has generally accepted the following guidelines for avoidance/minimization of effects on San Francisco dusky-footed woodrat houses, listed in order of priority and implementation:

a. The project work will be rerouted to avoid the woodrat house by at least 50 feet.
b. If the work cannot be rerouted at least 50 feet from the house, it will be rerouted as far away from the house as possible but not closer than 5 feet

from the house. Safety and/or silt fencing (for houses downslope) will be erected around all houses within 25 feet of the construction activity to avoid impacts during construction.

c. If the project footprint must go directly through or within 5 feet of a house, CDFG should be consulted with one of the two following options:

   i. If the house appears inactive seek approval from CDFG to dismantle the house and replace the lost resource by building an artificial house. One artificial house should be built for every one existing inactive house.
   ii. If the house appears active, approval will be sought from CDFG to: 1) trap the occupant(s) of the house, 2) dismantle the house, 3) construct a new artificial house with the materials from the dismantled house, and 4) release the occupant into the new artificial house. The new house should be placed as close to its original location as feasible and as far from the project footprint as necessary to be protected from construction activities. If the house is to be moved downslope of the project footprint, extra precautions should be taken, such as a plywood barrier, to stop falling/sliding materials from impacting the new house. Houses should only be moved in the early morning during the non-breeding season (October through February). If trapping has occurred for 3 consecutive nights and no woodrats have been captured, the house should be dismantled and a new house constructed.

MM BIO 1.2 **Employee Education Program.** An employee education program shall be conducted prior to the initiation of project activities. The program shall consist of a brief presentation by persons knowledgeable in federally listed and state special status species biology and legislative protection to explain concerns to contractors and their employees. The program would include the following: a description of CRLF, WPT, and woodrat and their habitat needs; an explanation of the status of CRLF, WPT, and woodrat and their protection under state and federal laws; and a list of measures being taken to reduce impacts to CRLF, WPT, and woodrat during project activities. Crews shall be instructed that if a CRLF is found, it is to be left alone and the project foreman, City, and the USFWS must be notified immediately. Likewise, if a WPT or woodrat nest is found, it is to be left alone and the project foreman, City, and CDFG must be notified immediately.

MM BIO 1.3 ESA Fencing. Project shall include the installation of Environmentally Sensitive Area ("ESA") fencing along creek bank to assist in excluding potential CRLF and WPT from the construction zone. ESA fencing shall be buried at the base to prevent animals from moving under it. ESA fencing shall be maintained in good and stable condition throughout active construction. Nominal 1.5 to 3 foot tall silt fence type material is acceptable.

MM BIO 1.4 **Speed Limit.** Vehicles shall not drive more than 5 miles per hour within the project area. If any WPT, CRLF, or woodrat are seen in the path of a vehicle, the vehicle shall stop until the animal is out of the path. Parked vehicles shall be thoroughly checked underneath before they are moved to ensure that no WPT, CRLF or woodrat are on the ground below the vehicle.

Steelhead

Central California Coast Steelhead, a federally-listed species, is known to occur in Stevens Creek. The project area is within Federally Designated Critical Habitat for steelhead. Given that the project does not include work within aquatic habitats of Stevens Creek, the project would not result in direct impacts to steelhead occurring in the creek. Construction-related impacts to water quality, however, may indirectly affect individual steelhead. With implementation of the avoidance measures to reduce impacts to aquatic habitat listed in Section 4.4.2.1 above, the project would also avoid significant effects on steelhead.

Special Status Bird Species

Nesting birds, including raptors, are protected by the California Department of Fish and Game Code 3503, which reads, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." The Federal Migratory Bird Treaty Act prohibits the killing, possessing, or trading of 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.

A variety of protected birds could nest or forage on the project, including but not limited to the species listed in Section 4.4.1. The proposed project would temporarily and permanently impact a very small amount of potential foraging habitat for these species. Although occasional foraging individuals may be temporarily displaced during construction, they are not expected to be permanently impacted by the project. Because the project area is already disturbed by urban use, the increase in human activity along the proposed trail connection is not expected to significantly impact bird habitats. For these reasons, the project would not cause long-term effects on regional populations of protected bird species.

Project construction activities, including trail construction and vegetation removal, could potentially result in disturbance to protected birds. Given the local and regional abundance of these bird species and the low magnitude of potential effects, project construction is not expected to result in significant impacts to special status birds. However, direct impacts to active nests, eggs, young, or individuals during construction would be a significant impact.

Impact BIO-2: The removal or trimming of shrubs and trees on the site could impact nesting birds, if present.

Mitigation Measures: Implementation of the following measures would reduce potential impacts to nesting birds to a less than significant level:

MM BIO-2.1: Vegetation removal activities within the project area shall be scheduled to take place outside of the nesting season (February 1 to August 31) if possible to avoid impacts to nesting birds. In order to avoid impacts to existing raptor nests during the non-nesting season, a preconstruction survey of all on-site trees that could support raptor nests shall be completed by a qualified biologist. Every attempt shall be made to protect trees that contain raptor nests.

If construction is unavoidable during the nesting season, a qualified biologist shall conduct a survey for nesting raptors and other birds within five days prior to the start of construction activities. If active nests are not present, construction activities can take place as scheduled. If more than five days elapse between the initial nest

search and the beginning of construction activities, another nest survey shall be conducted. If any active nests are detected, a qualified biologist shall determine the appropriate buffer to be established around the nest. CDFG generally accepts a 50-foot radius buffer around passerine and non-passerine land bird nests, and up to a 250-foot radius for raptors, however the biologist shall have flexibility to reduce or expand the buffer depending on the specific circumstances.

Bats

The big brown bat population of the Stevens Creek Corridor Park is to likely be the largest occurring on the Santa Clara Valley floor. In 2005, a big brown bat maternity colony was found in a sycamore tree within the Horseshoe Bend area. It is unknown if the colony is still present in this tree. Mexican free-tailed and Yuma myotis bats have also been detected foraging in the corridor. In addition, it is possible that a bat colony or roost has been established in the oak woodland habitat on the site since completion of Phase I construction of the Stevens Creek Corridor Park project in 2009.

Although big brown bats are fairly tolerant to constant levels of disturbance (e.g. constant vehicle noise), additional disturbance above the ambient noise could result in the abandonment of the maternity colony, if still present in the off-site sycamore tree. As discussed in Section 4.12 *Noise*, grading operations would generate the highest noise levels during project construction. Given that the project would not require substantial grading and that most grading operations would occur on the westerly side of the creek (over 250 feet from the sycamore tree that is known to have hosted a maternity colony), it is unlikely that construction activities would generate noise levels that would substantially disturb the colony. Although the proposed project would not affect this sycamore tree, the loss or abandonment of a bat roost or colony (either indirectly through project-related disturbances or directly through tree removal), could be considered a significant impact.

Impact BIO-3: Project construction could result in the loss or abandonment of a bat roost or colony.

Mitigation Measures: Implementation of the following measures will reduce potential impacts to bats to a less than significant level:

MM BIO-3.1: The following avoidance measures shall be implemented as necessary and as determined by a qualified bat biologist:

- **Preconstruction surveys.** Because the big brown bats could move their maternity colony or day roost to an on-site tree (and other species of bats occurring on the project site could form a new roost), a preconstruction survey for roosting bats shall also be conducted prior to any construction or large tree removal. The survey shall be conducted by a qualified biologist.

- **Temporal avoidance and construction buffer zones.** Construction buffer zones will be established around active maternity colonies or a non-breeding bat roost to avoid disturbance impacts. The buffer distance will be established in consultation with CDFG and will be dependent upon the species, roost type and the nature of the construction disturbance. Construction activities proposed within this buffer distance shall commence after young are volant (flying, after July 31) and end before maternity colonies form. CDFG considers the maternity season to occur from March 1 to August 31.

4.4.2.4 *Conformance with Regulations that Protect Biological Resources*

City of Cupertino Tree Ordinance

The proposed project requires the removal of a seven-inch diameter coast live oak tree, three-inch diameter coast live oak tree, and approximately three coast live oak saplings. The project does not include the removal of any protected tree; therefore, no tree removal permit is required. There are protected trees, however, in the project vicinity that could be adversely affected by construction activities. With implementation of the mitigation measure described below, the project would be consistent with the City of Cupertino Tree Ordinance.

Impact BIO-4: Tree trimming or removal could violate City of Cupertino policies on tree protection.

Mitigation Measure:

MM BIO-4.1: In accordance with the Cupertino Tree Ordinance, the project proposes to implement standard tree protection measures to avoid impacts to trees remaining in the project area:

- The proposed trail has been aligned to be outside of the dripline of native trees to the extent feasible to reduce effects on the root zones. The final design will be reviewed by the City's arborist to ensure that adverse impacts to trees have been minimized or avoided.

- To compensate for the loss of two non-protected oak trees, the project proposes to plant two container-size native replacement trees. The replacement trees would be planted on-site.

- The proposed plantings, including replacement trees, would be maintained for a five year period by the City.

- Potential impacts to protected trees on or adjacent to the site resulting from construction activities would be minimized by implementing measures consistent with Chapter 14.18, Appendix A of the Cupertino Municipal Code: Standards for the Protection of Trees during Grading and Construction Operations of the City of Cupertino Tree Ordinance.

- All pruning shall be completed or supervised by a certified arborist or the City arborist and adhere to the Best Management Practices for Pruning of the ISA.

- In the unlikely event that the final project design requires the removal of a protected tree, a tree removal permit would be obtained. All requirements for removal as stated in the tree removal permit, including the provision of replacement trees, would be followed. The number and type of replacement tree to be provided would be determined by the City of Cupertino, in accordance with City policy and other requirements as applicable.

4.4.3 Conclusion

The proposed project has been designed to avoid impacts to the oak woodland and riparian habitats on the site. Avoidance measures would be implemented during construction to minimize potential impacts to aquatic habitat. The project includes mitigation and avoidance measures to reduce and avoid impacts to trees and special status animal species. The project would not result in significant impacts to biological resources within the project area. **(Less than Significant Impact with Mitigation Incorporated)**

4.5 CULTURAL RESOURCES

The following discussion is based on the assessment prepared by Basin Research Associates, Inc. for the Stevens Creek Corridor Park IS/MND.

4.5.1 Setting

4.5.1.1 *Prehistoric Resources*

The project area is within the ethnographic and historic boundaries of the Native American group known as the *Costanoan* or the *Ohlones*. Numerous small and large size sites have been recorded in the Santa Clara Valley, indicating occupation and use of the area extending over 5,000 years.

The project area is considered to have low to moderate archaeological sensitivity. According to the Cultural Resources Assessment prepared for the Stevens Creek Corridor Park IS/MND, one prehistoric site (CA-SCl-715) has been recorded on the west bank of Stevens Creek in the project area, although the feature could not be field-confirmed. This recorded site is located approximately 0.25 miles north of the site.[19] With the exception of this recorded site, the records search and literature review did not identify any other recorded prehistoric and historic sites within a quarter-mile of the study area. No archaeological resources were encountered during construction of Phase I of the Stevens Creek Corridor Park project.

4.5.1.2 *Historic Resources*

The historic period of the San Francisco Bay region began in the late 1700's when Spanish expeditions begin to explore the area and establish missions and pueblos. All land was held by the Spanish Crown until Mexico broke away from Spanish control in 1822. In 1848, at the end of the Mexican American War, California became part of the United States.

No historic properties listed on the California Register of Historical Resources (CRHR) or National Register of Historic Places (NRHP) were identified in or adjacent to the project area. Blackberry Farm is listed as a California Point of Historical Interest.[20] This property and four others within or adjacent to Stevens Creek Corridor Park are listed on various Santa Clara County Heritage Resource Inventories and/or are identified as City of Cupertino Historic Sites according to the City's General Plan. These properties include the Site of Elisha Stephen's homestead, Louis Stocklmeir home, Doyle winery site (foundation only), and McClellan Ranch Nature Preserve (including Baer's replica blacksmith shop and Enoch Parrish tank house).

4.5.1.3 *Paleontological Resources*

There are no known unique paleontological resources or sites or unique geologic features in the project area.

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[19] Stevens Creek Corridor Park IS/MND, Appendix C. (Basin Research Associates. *Cultural Resources Assessment, Stevens Creek Corridor Master Plan*. February 2006.)

[20] California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance. Blackberry Farm was listed as a Point of Historical Interest in 1975. **Source:** California Office of Historic Preservation. "California Historical Resources." <http://ohp.parks.ca.gov/listed_resources/>

4.5.2 Environmental Checklist and Discussion of Impacts

CULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☐	☐	☒	☐	1, 9, 11
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☒	☐	☐	☐	1, 9, 11
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	☐	1, 11
4) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	☐	1, 9, 11

4.5.2.1 *Archaeological Resources*

As previously described, the project area is considered to have low to moderate archaeological sensitivity. No pre-construction subsurface testing is recommended for the proposed project.

Although not anticipated, there is a potential that subsurface archaeological materials could be exposed during project construction. Any deposits discovered during subsurface construction could contain potentially significant buried prehistoric and/or historic cultural materials, including Native American human remains. No prehistoric or historic cultural resources were encountered during construction of Phase I of the Stevens Creek Corridor Park project. However, if encountered, disturbance to a cultural deposit could result in the loss of integrity and subsequent loss of scientific information, which would be a significant impact.

Impact CUL-1: Construction of the proposed project could result in a significant impact to archaeological resources, if disturbance occurs to as yet unknown prehistoric or historic materials that may be encountered during grading activities on the site.

Mitigation Measures: The following measures will be implemented to reduce potential impacts to archaeological resources to a less than significant level:

MM CUL-1.1: Prior to the initiation of construction or ground-disturbing activities, the City shall conduct a pre-construction field meeting to inform all contractors and construction personnel of the potential for exposing subsurface cultural resources and to recognize possible buried cultural resources. Personnel shall be informed of the procedures that will be followed upon the discovery or suspected discovery of archaeological materials, including Native American remains and their treatment.

MM CUL-1.2: Upon discovery of possible buried prehistoric and historic cultural materials (including potential Native American skeletal remains), work within 25-feet of the find shall be halted and the City shall be notified.[21]

The City shall retain a qualified archaeologist to review and evaluate the find. Construction work shall not begin again until the archaeological or cultural resources consultant has been allowed to examine the cultural materials, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been exposed.

If the discovery is determined to be a unique archaeological or historical resource, and if avoidance of the resource is not possible, the archaeologist shall inform the City of the necessary plans for treatment of the find(s) and mitigation of impacts. The treatment plan shall be designed to result in the extraction of sufficient nonredundant archaeological data to address important regional research considerations. The City shall insure that the treatment program is completed. The work shall be performed by the archaeologist, and shall result in a detailed technical report that shall be filed with the California Historical Resources Information System, Northwest Information Center, CSU Rohnert Park. Construction in the immediate vicinity of the find shall not recommence until treatment has been completed.

If human remains are discovered, they shall be handled in accordance with State law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code), including immediate notification of the County Medical Examiner/Coroner.

MM CUL-1.3: All excavation contracts for the project shall contain provisions for stop-work in the vicinity of a find in the event of exposure of significant archaeological resources during subsurface construction. In addition, the contract documents shall recognize the need to implement any mitigation conditions required by the permitting agency. In general, the appropriate construction conditions should be included within the general or special conditions section of any contract that has the potential for ground disturbing operations.

[21] **Significant prehistoric cultural resources may include:** Human bone – either isolated or intact burials; Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors); Artifacts including chipped stone objects such as projectile points and bifaces; Groundstone artifacts such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; Shell and bone artifacts including ornaments and beads; Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction), distinctive changes in soil stratigraphy indicative of prehistoric activities; and Isolated artifacts.
Objects and features associated with the historic period (the late 19th through early 20th centuries) may include: Structural remains or portions of foundations (bricks, cobbles/boulders, stacked fieldstone, postholes, etc.); Trash pits, privies, wells and associated artifacts; Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.); and Human remains.
In addition, cultural materials including both artifacts and structures that can be attributed to Hispanic, Asian, and other ethnic or racial groups are potentially significant; such features or clusters of artifacts and samples include remains of structures, trash pits, and privies.

4.5.2.2 *Historic Resources*

Given the nature of the proposed project, it would not affect the historic significance of Blackberry Farm, McClellan Ranch, or any other properties listed on County or City historic resource inventories. The project would not affect any structure that is eligible for inclusion in the California Register of Historic Places or the National Register of Historic Places. Therefore, the proposed project would not result in a significant impact to historic resources.

4.5.3 Conclusion

With the implementation of the mitigation measures listed above, the proposed project would not result in a significant impact to archaeological resources in the event buried cultural materials are encountered during project construction. **(Less than Significant Impact with Mitigation Incorporated)**

The project would not affect any historic structures or paleontological resources. **(No Impact)**

4.6 GEOLOGY AND SOILS

4.6.1 Setting

4.6.1.1 *Regional Geology*

The project site is located in the Santa Clara Valley, which is bounded by the Santa Cruz Mountains to the west, the Mt. Hamilton Diablo Mountain Range to the east, and the San Francisco Bay to the north. Bedrock in this area is made up of the Franciscan Complex, a diverse group of igneous, sedimentary and metamorphic rocks of Upper Jurassic to cretaceous age (70 to 140 million years old).

4.6.1.2 *Site Topography and Soils*

The elevation of the site ranges from approximately 305 to 330 feet above sea level. The soil at the site has been mapped as Garretson fine sandy loam (GpA).[22] This soil type is well drained and moderately expansive with very slow surface runoff and no erosion hazard.[23] Expansive soils shrink and swell as a result of moisture changes, which can cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. The site is not located within a Santa Clara County Geologic Hazard Zone for landslides, compressible soils, or dike failure.[24]

4.6.1.3 *Seismicity and Seismic Hazards*

The project site is located within the seismically active San Francisco Bay region. The major earthquake faults in the project area are the San Andreas Fault (approximately four miles southwest of the site), the Hayward Fault (approximately 10 miles east of the site), and the Calaveras Fault (approximately 13 miles east of the site). The project site is located at the edge of the Santa Clara County Fault Rupture Hazard Zone for the Monta Vista Fault, which is located approximately 0.5 miles to the south.[25] The Monta Vista Fault is not identified as an Alquist-Priolo Earthquake Fault Zone.[26]

Liquefaction and Lateral Spreading

Seismically-induced liquefaction results in the transformation of loose water-saturated soils from a solid state to a liquid state during ground shaking. Lateral spreading, a type of ground failure related to liquefaction, involves the horizontal displacement of flat-lying alluvial material toward an open area, such as a steep bank of a stream channel. Liquefaction-induced lateral-spreading usually occurs on mild slopes with underlying loose sands and a shallow groundwater table. The potential of lateral-spreading generally mirrors the liquefaction potential of the area.

The Stevens Creek channel is identified as a liquefaction hazard zone by the County of Santa Clara and State of California.[27] Given that part of the project site includes moderately steep creek banks, there is also potential for lateral-spreading to occur during ground shaking.

[22] County of Santa Clara, Department of Public Works. *Soil Map*. 1964.
[23] United States Department of Agriculture, Soil Conservation Service. *Soils of Santa Clara County*. 1968.
[24] County of Santa Clara. *Santa Clara County Geologic Hazard Zones*. Map 18. 2002.
[25] County of Santa Clara. *Santa Clara County Geologic Hazard Zones*. Map 18. 2002.
[26] Association of Bay Area Governments, Geographic Information Systems. "Alquist-Priolo Earthquake Fault Zones." March 2007.
[27] California Department of Conservation, Division of Mines and Geology. *Seismic Hazard Zones: Cupertino Quadrangle Official Map*. 2002.

4.6.2 Environmental Checklist and Discussion of Impacts

GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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.)	☐	☐	☒	☐	☐	10, 11
b) Strong seismic ground shaking?	☐	☐	☒	☐	☐	1, 11
c) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	☐	1, 12, 13
d) Landslides?	☐	☐	☒	☐	☐	1, 12, 13
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	☐	1, 11
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, 12, 13
4) 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?	☐	☐	☒	☐	☐	1, 11
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

4.7.2.1 *Soil and Geologic Hazards*

As discussed above, there are no significant geologic hazards associated with the project site. The proposed trail alignment conforms to existing topography, to the extent feasible, to minimize grading required for project construction. The project would require approximately 75 cubic yards of imported fill to construct the proposed approach ramps and trail connection in the sloped area near

Scenic Circle (refer to Section 4.9 *Hydrology and Water Quality*). Any cut or fill slopes adjacent to the trail would be reseeded/replanted following project construction in the given area. The project also includes construction of a retaining wall adjacent to the trail at the base of the sloped area near Scenic Circle. Boulders may also be used in this area and at the bridge approach to provide additional slope stabilization. The retaining wall design and grading plans will be prepared by a licensed civil engineer and the project will be subject to review by the City Public Works Department. These measures will help to ensure none of the proposed improvements would cause on- or off-site instability.

As previously described, the proposed trail connection would be constructed on moderately expansive soil. The trail itself would not be substantially affected by expansive soil conditions as it could be repaired if heaving or cracking were to occur. The approach ramps and retaining walls will be designed and constructed using standard engineering practices to minimize potential damage resulting from the potential expansion or contraction of on-site soils. Given that the site is not within a landslide hazard zone, the proposed project would not expose people or structures to significant adverse effects involving landslides.

The project proposes to include a stabilizer in the trail surface to reduce erosion of the crushed or decomposed granite or similar material. Grading and tree removal activities would increase the potential for soil erosion during and after project construction. As described above, any cut or fill slopes adjacent to the trail would be stabilized with retaining walls or vegetation. Providing temporary and permanent cover to stabilize surfaces disturbed by grading activities will reduce the potential for erosion or the loss of topsoil. In addition, Best Management Practices (BMPs) will be implemented to prevent substantial erosion from occurring as a result of soil disturbing construction activities (refer to Section 4.4 *Biological Resources*).

For these reasons, the proposed project would not result in significant geologic impacts related to slope stability or erosion.

4.7.2.2 *Seismicity and Seismic Hazards*

It is expected that the project alignment could be subject to significant seismic events over the life of the project. During a major earthquake on one of the region's active faults, users of the proposed trail connection would be exposed to hazards associated with severe ground shaking, including seismic-induced liquefaction or lateral spreading. Although the project site is located at the edge of a Santa Clara County Fault Rupture Hazard Zone, the likelihood of ground rupture across the proposed trail alignment is low, given the distance to the mapped fault line.

The project does not include any structures that would expose people to substantial adverse effects involving seismic hazards. The proposed approach ramps and stairway shall be designed and constructed to minimize potential damage from seismic shaking and seismic-related hazards, including liquefaction and lateral spreading. The project structures would be designed by a licensed civil engineer and would comply with applicable codes to ensure the proposed design would not result in significant seismicity impacts.

4.7.3 Conclusion

No structures are proposed by the project that would create substantial risks to life or property associated with existing soil conditions or potential seismic hazards. Construction of the proposed project would not result in significant geologic or erosion impacts. **(Less than Significant Impact)**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Setting

This section provides a general discussion of global climate change and focuses on emissions from human activities that alter the chemical composition of the atmosphere. The discussion on global climate change and greenhouse gas emissions is based upon the California Global Warming Solutions Act of 2006 (Assembly Bill 32), the 2006 and 2009 Climate Action Team (CAT) reports to Governor Schwarzenegger and the Legislature, and research, information and analysis completed by the International Panel on Climate Change (IPCC), the United States Environmental Protection Agency (USEPA), and the California Air Resources Board (ARB).

4.7.1.1 *Background*

Global climate change refers to changes in long-term weather patterns including temperatures, precipitation, and wind patterns. Global temperatures are affected by the accumulation of naturally occurring and anthropogenic (generated by human activities) atmospheric gases such as carbon dioxide, water, and methane. These gases allow sunlight into the Earth's atmosphere but prevent heat from radiating back into outer space, thus altering the Earth's energy balance. This phenomenon is known as the "greenhouse effect".

The combustion of fossil fuels for energy use is a major source of anthropogenic greenhouse gas emissions. Transportation is the largest end-use source of carbon dioxide, which is the most prevalent greenhouse gas. The US EPA estimates the carbon dioxide emissions for gasoline to be 19.4 pounds per gallon.[28]

As a result of global climate change, extreme events such as heat waves, floods, droughts, wildfires, and poor air quality are likely to become more frequent in the future in California.[29]

4.7.1.2 *Regulatory Framework*

Agencies at the international, national, state, and local levels are considering strategies to control emissions of gases that contribute to global warming. In California, Assembly Bill (AB) 32 requires achievement of a statewide greenhouse gas emissions limit equivalent to 1990 emissions by 2020, and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions. The ARB and other state agencies are currently working on regulations and other initiatives to implement the *Climate Change Scoping Plan*, which was approved in 2008. By 2050, the state plans to reduce emissions to 80 percent below 1990 levels.

As required under state law (Public Resources Code section 21083.05), the California Natural Resources Agency amended the State CEQA Guidelines to include this section on greenhouse gas emissions (effective March 18, 2010). Under the new guidelines, a Lead Agency must describe, calculate, or estimate greenhouse gas emissions resulting from a project by using a model, qualitative analysis, and/or performance-based standards to assess impacts.

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[28] U.S. Environmental Protection Agency. "Emission Facts: Average Carbon Dioxide Emissions Resulting from Gasoline and Diesel Fuel." Last updated January 14, 2010. Accessed March 24, 2010. <http://www.epa.gov/oms/climate/420f05001.htm>

[29] California Environmental Protection Agency. *Draft Climate Action Team Report to Governor Schwarzenegger and the Legislature*. 2009. Available at: http://www.climatechange.ca.gov/publications/cat/.

Updated BAAQMD CEQA Guidelines

As previously described, BAAQMD recently adopted the *CEQA Air Quality Guidelines* as an update to its previous CEQA Guidelines (1999). Under the new thresholds, projects that would result in operational-related greenhouse gas emissions of 1,100 metric tons of carbon dioxide equivalents a year or more would make a cumulatively considerable contribution to greenhouse gas emissions and result in a cumulatively significant impact to global climate change. For comparison, 1,000 daily vehicle trips (averaging seven miles per trip) would generate approximately 1,100 metric tons of carbon dioxide per year.[30]

4.7.2 Environmental Checklist and Discussion of Impacts

GREENHOUSE GAS EMISSIONS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	☐	1, 14
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☐	☒	1, 14

4.7.2.1 *Greenhouse Gas Emissions*

As described above, the generation of greenhouse gases has significant indirect impacts on the environment through global climate change. Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernable effect on global climate change. It is more appropriate to conclude that the greenhouse gas emissions generated by the proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change.

The proposed project would result in short-term emissions of greenhouse gases during trail construction. Activities that would generate greenhouse gas emissions include site grading, operation of fuel-operated equipment, transportation of construction materials (e.g., decomposed granite, wood, fill, etc.), and vehicle trips to and from the project site by construction workers. Given the scale of the proposed project, a substantial amount of greenhouse gases would not be generated by the construction activities.

[30] This estimate is based on the average fuel economy of 21 mile per gallon (mpg) and a carbon dioxide emission rate of 19.4 pounds per gallon, as estimated by the US EPA. **Source:** U.S. Environmental Protection Agency. "Emission Facts: Average Carbon Dioxide Emissions Resulting from Gasoline and Diesel Fuel." Last updated January 14, 2010. Accessed March 24, 2010. <http://www.epa.gov/oms/climate/420f05001.htm>

As previously described, automobile use is a main generator of carbon dioxide and other greenhouse gases. The project would generate substantially less than 1,000 vehicle trips per day, as the proposed trail connection is not intended to serve as a vehicular access point to Blackberry Farm Park or the existing creek trail. As described in Section 4.3 *Air Quality*, the proposed project would encourage residents to use non-motorized modes of transportation by providing a pedestrian/bicycle connection between a residential neighborhood and a public park, creek trail, and schools east of the creek. Therefore, the project could reduce vehicle trips in the project area, which would reduce the emission of greenhouse gases in the long-term.

For these reasons, the proposed project would not result in greenhouse gas emissions that may have a significant impact on the environment or make a substantial contribution to global climate change.

4.7.2.2 *Consistency with Greenhouse Gas Reduction Plans*

Under existing conditions, vehicle use is the predominant mode of transportation for commuters in the region. By providing facilities for alternative modes to vehicle travel, the proposed project supports long-term goals for reducing greenhouse gas emissions generated by vehicle use, as previously described. Funding the construction of "bike/walk" infrastructure is identified as strategy that local governments can implement to achieve greenhouse gas reduction goals.[31] Therefore, the project would not conflict with the 2008 *Climate Change Scoping Plan* or the goal of reducing statewide emissions equivalent to 1990 levels by 2020.

4.7.3 Conclusion

The proposed project would not result in significant environmental impacts associated with greenhouse gas emissions. **(Less Than Significant Impact)**

[31] California Air Resources Board. *Climate Change Proposed Scoping Plan Appendices, Volume I: Supporting Documents and Measure Detail*. October 2008. Page C-52.

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Setting

4.8.1.1 *Background Information*

Hazardous materials include a broad range of common substances such as fuel, motor oil, pesticides, detergents, paint, and solvents. A substance may be considered hazardous if, due to its chemical and or/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. A "hazardous waste" is any hazardous material that is discarded, abandoned, or to be recycled.

4.8.1.2 *Existing Conditions*

The project site primarily consists of undeveloped land and includes an existing pedestrian bridge over Stevens Creek. The site is located within the riparian corridor and is bounded by a residential neighborhood and a renovated community park. The southern portion of the project site (westerly side of Stevens Creek) was previously used as one of several picnic areas in Blackberry Farm. The park facilities, including a service building and tables, were removed in 2008. This area was recently planted with upland vegetation. Prior to development of the existing residential and park uses, the area was used for agricultural production, primarily as orchards.

The project site is located in a developed area of Cupertino. There are no wildland areas with a fire risk near the project site.[32] No public airports or private airstrips are located in the project vicinity (within two miles). Monta Vista High School is located approximately 0.25 miles southeast of the project site.

4.8.1.3 *Regulatory Database Search*

The Cortese List is used by the State, local agencies, and developers to identify the location of hazardous materials release sites. The Cortese List is updated annually by the California Environmental Protection Agency (Cal EPA), pursuant to Government Code §65962.5.[33] The project site is not listed on any database included in the Cortese List.

There is one property within a quarter mile of the site that is listed in the SWRCB database of leaking underground storage tanks (LUST). The Tressler Property, located at 22110 McClellan Road approximately 0.25 miles south of the site, is reported as having a leaking waste oil UST that affected soil only.[34] The regulatory agencies granted a case closure in 1997, indicating that the contamination was contained and no further remedial action was necessary. Given the localized nature of soil contamination and the distance to the project site, it is unlikely that the past release on the Tressler Property would affect the trail alignment. Therefore, this LUST cleanup site is not considered a potential source of contamination to the proposed project.

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[32] Stevens Creek Corridor Park IS/MND.

[33] The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) as subject to removal or remedial action, as well as lists maintained by the State Water Resources Control Board (SWRCB) and the California Integrated Waste Management Board (CIWMB). The DTSC, CIWMB, and SWRCB lists of hazardous materials sites are available online at http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, http://www.calrecycle.ca.gov/SWFacilities/Directory/search.aspx , and http://geotracker.swrcb.ca.gov/, respectively.

[34] State Water Resources Control Board. GeoTracker website. Accessed September 30, 2010. <http://geotracker.swrcb.ca.gov/profile_report.asp?global_id=T0608501985.>

4.8.2 Environmental Checklist and Discussion of Impacts

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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, 11, 15
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, 11, 15
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, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐	1, 11, 15
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1
6) For a project within the vicinity of a private airstrip, would 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, 11
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, 11

The proposed project includes the construction of a trail connection between Scenic Circle and Blackberry Farm Park via an existing pedestrian bridge. The project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List). There are no known sources of hazardous material contamination that would affect the proposed trail alignment.

Construction workers could be exposed to hazards if elevated concentrations of agricultural chemicals such as pesticides are present in the soil. The project site is not identified as having the potential for hazardous levels of pesticide residue.[35] Given that vegetation restoration activities under the Stevens Creek Corridor Park project incorporate Best Management Practices (BMPs) dealing with the handling and application of herbicides and pesticides within the creek corridor, the on-site habitat restoration area would not be considered a significant risk. Furthermore, construction of the proposed project would not require major soil disturbance. For these reasons, the ongoing and proposed vegetation restoration activities on the project site would not expose construction workers to hazardous concentrations of agricultural chemicals.

Fuels, motor oil, and lubricants in use at a typical construction site could be considered hazardous. The handling of hazardous materials during project construction would be completed in accordance with local, state, and federal laws. The potential for an accidental release of chemicals that could create a significant hazard is considered to be very low. To further minimize the risk of creating a significant hazard through the use, transport, and disposal of potentially hazardous materials during construction, the following BMPs from the Santa Clara Valley Water District (SCVWD) *BMP Handbook* (2009 or most recent update) would be implemented:[36]

HM-9 Vehicle and Equipment Cleaning
HM-10 Vehicle and Equipment Fueling
HM-11 Vehicle and Equipment Maintenance
HM-12 Hazardous Materials Management
HM-13 Spill Prevention
HM-14 Spill Kit Location

As discussed in Section 4.3 *Air Quality*, construction of the project would not result in a significant impact associated with the emission of air pollutants. Operation of the proposed project (i.e., public use of the proposed trail connection) would not involve the routine transport, use, disposal, emission, or handling of hazardous materials. For these reasons, the proposed project would not expose the public, environment, construction workers, or nearby school uses to significant hazards.

The construction and operation of the proposed project would not impair the implementation of an adopted emergency response plan. Given that the proposed trail connection would not provide public vehicular access through the corridor, the project would not affect any emergency evacuation routes. The proposed project would improve emergency access in the project area by providing a formal, code-compliant trail through an undeveloped public open space, as discussed in Sections 4.14 *Public Services* and 4.16 *Transportation*.

4.8.3 Conclusion

The proposed project would not result in a significant impact related to the generation of or exposure to hazardous materials. **(Less Than Significant Impact)**

[35] Stevens Creek Corridor Park IS/MND.
[36] These measures are described in detail in Appendix A of this Initial Study.

4.9 HYDROLOGY AND WATER QUALITY

This discussion is based on the Stevens Creek Corridor Park IS/MND and a memo report prepared by Balance Hydrologics, Inc. (October 2010), which is contained in Appendix B.

4.9.1 Setting

The project site is located within the riparian corridor of Stevens Creek. The Stevens Creek watershed encompasses 38 square miles in western Santa Clara County. The headwaters of Stevens Creek originates on the west slope of the Santa Cruz Mountains. Downstream of the project site, Stevens Creek flows through the northern portion of the City of Cupertino, and continues through the Los Altos, Sunnyvale and Mountain View. This portion of the creek is completely surrounded by urban development. After passing under Highway 101, Stevens Creek flows into Whisman Slough and then empties into San Francisco Bay. Stevens Creek is part of the Lower Peninsula Watershed, which includes six other creeks and encompasses a total of 98 square miles.[37]

The creek was recently restored in the site vicinity through the removal of man-made features (concrete walls, riprap, low-flow road crossings, and a diversion dam), channel widening, and planting of native vegetation (refer to Section 3.1.2). With the recent completion of channel restoration activities as part of the Stevens Creek Corridor Park – Phase I project, the hydrology of the creek has been restored to more natural conditions.

4.9.1.1 *Flooding and Drainage*

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map of the project area,[38] the site is located in Zone AE. This is a flood hazard area subject to inundation by the one percent annual chance (100-year) flood. The project site is also located within the dam inundation hazard zone for Stevens Creek.[39] The site is not subject to inundation by seiche, tsunami, or mudflow.

There are no existing drainage systems that convey the runoff to the creek within the project limits. Stormwater runoff within the project site currently flows overland into the creek and/or percolates through the soil to groundwater. There are existing storm drain outfalls at nearby locations within the creek corridor.

4.9.1.2 *Water Quality*

The water quality of Stevens Creek depends on the volume of water, which varies throughout the year, and the concentration of contaminated surface runoff that flows into the creek from storm drains. 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. Urban stormwater runoff often contains contaminants such as oil and 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 habitats to which they drain.

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[37] Santa Clara Valley Water District. "Fast Facts: Lower Peninsula Watershed." Accessed October 6, 2010. <http://www.valleywater.org/Services/LowerPeninsulaFastFacts.aspx>

[38] Federal Emergency Management Agency. *Flood Insurance Rate Map*. Map Number 06085C0208H. May 18, 2009.

[39] ABAG. *Dam Failure Inundation Hazard Map for Cupertino*. 1995. Available at: <http://www.abag.ca.gov/cgi-bin/pickdamx.pl>

Development and infrastructure projects can adversely affect the drainage and runoff pattern of a site by increasing the impervious areas, decreasing natural vegetation, changing grading and soil compaction, and creating new drainage facilities.[40] These hydromodification activities can decrease infiltration of stormwater into the ground, increase connectivity of runoff to creeks, and increase the volume, duration, and frequency of flows. Overall, adverse hydromodification can cause stream channel erosion, siltation of water bodies, on- and off-site flooding, and increased pollutant loads.

4.9.1.3 *Regulatory Setting*

The Federal Clean Water Act (CWA) requires local municipalities to implement measures to control pollution from their storm sewer systems to the maximum extent practicable. In addition, the State of California's Porter-Cologne Water Quality Control Act of 1969 and other State legislation require municipalities to protect water quality. Regulations set forth by the U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. These regulations are implemented at the regional level by water quality control boards, which for the Cupertino area is the San Francisco Bay Regional Water Quality Control Board (RWQCB). The RWQCB is also tasked with preparation and revision of a regional Water Quality Control Plan, also known as the Basin Plan.[41]

Total Maximum Daily Loads

Under Section 303(d) of the 1972 federal Clean Water Act, states are required to identify impaired surface water bodies and develop total maximum daily loads (TMDLs) for contaminants of concern.[42] The TMDL is the quantity of pollutant that can be safely assimilated by a water body without violating water quality standards. Listing of a water body as impaired does not necessarily suggest that the water body cannot support the beneficial uses; rather, the intent is to identify the water body as requiring future development of a TMDL to maintain water quality and reduce the potential for future water quality degradation.

Stevens Creek is listed by the U.S. EPA as an impaired water body for diazanon, toxicity, trash, and water temperature.[43] The main source for trash and diazanon has been determined to be urban runoff from storm sewers. Channelization, habitat modification, and removal of riparian vegetation are considered the primary reasons for the elevated water temperature in the creek.

National Pollution Discharge Elimination System

In compliance with federal and state regulations, the RWQCB has issued an area-wide National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater permit to the City of Cupertino and the other 14 co-permittees that constitute the Santa Clara Valley Urban Runoff

[40] Santa Clara Valley Urban Runoff Pollution Prevention Program. "Hydromodification Management Plan (HMP)" Factsheet. May 2006. Available at: http://scvurppp-w2k.com/pdfs/0506/hmp_factsheet.pdf.
[41] The Basin Plan identifies beneficial uses, which the Regional Board has specifically designated for local aquifers, streams, marshes, rivers, and the Bay, as well as the water quality objectives, and criteria that must be met to protect these uses. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to control water quality and protect beneficial uses.
[42] California State Water Resources Control Board. "Total Maximum Daily Load Program." 2009. Accessed June 16, 2010. <http://www.swrcb.ca.gov/water_issues/programs/tmdl/303d_lists2006_approved.shtml>
[43] California State Water Resources Control Board. "Impaired Water Bodies." Updated June 14, 2010. Accessed June 16, 2010. <http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml>

Pollution Prevention Program (SCVURPPP).[44] The provisions of the NPDES Municipal permit require each of the co-permittees to implement Best Management Practices (BMPs) to reduce stormwater pollution from new development or redevelopment projects to the maximum extent practicable.

Under Provision C.3 of the NPDES Municipal permit, projects that create, add, or replace 10,000 square feet or more of impervious surface area are required to control post-development storm water through source control and treatment control BMPs. The proposed trail connection would not create 10,000 square feet or more of impervious surface and is exempt from Provision C.3 requirements.

Additional hydromodification controls are required for projects that create, add, or replace one acre or more of impervious surfaces within an area where increases in runoff flow or volume can cause increased erosion of creek beds and banks. According to the Hydromodification Management Plan (HMP) Applicability Map for the SCVURPPP, the project alignment is located in a subwatershed that is less than 65 percent impervious; however, given that construction of the proposed trail connection would add less than one acre of impervious surface, the proposed project would be exempt from the additional HMP requirements in the NPDES permit.[45]

NPDES General Permit for Construction Activity

All construction projects in the state are regulated by the NPDES General Permit for Storm Water Discharges Associated with Construction Activity, which requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP) and the filing of a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for all projects that disturb an area of one acre or greater. SWPPPs outline how the project will prevent polluted stormwater runoff and sediment from entering the storm drainage system and local creeks. Given that the proposed project would disturb approximately one half acre (22,000 square feet of land), it would not be required to obtain coverage under the Construction General Permit Order 2009-0009-DWQ, effective July 1, 2010.[46]

[44] The SCVURPPP was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan, which was revised in 1995. The purpose of the program is to reduce water pollution associated with urban stormwater runoff, which includes metals, pesticides, herbicides, and other contaminants such as oil, grease, lead, and animal waste.
[45] SCVURPPP. *Classification of Subwatersheds and Catchment Areas for Determining Applicability of HMP Requirements*. Map. February 2009. Available at: http://www.scvurppp-w2k.com/hmp.shtml.
[46] California Environmental Protection Agency, State Water Resources Control Board. "Construction Storm Water Program." Updated December 2009. Accessed March 1, 2010. <http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml>

4.9.2 Environmental Checklist and Discussion of Impacts

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐	1, 11
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	☐	1
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐	☐	1, 11
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	☐	☐	☒	☐	☐	1, 11, 16
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐	1
6) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐	1, 11
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
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐	☐	1, 16, 17

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
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, 11, 16
10) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐	1

4.9.2.1 *Flooding and Drainage Impacts from the Project*

According to the FEMA map, the proposed trail alignment is within the 100-year flood hazard zone of Stevens Creek. The proposed approach ramps and stairway to the existing pedestrian bridge would be constructed at the top of the creek bank. No project features are proposed in the low flow channel or within wetland habitat areas.

Flooding

Although the proposed project would be constructed within the 100-year floodplain, hydrologic impacts resulting from the project have been minimized through the preliminary design process. The project is designed to minimize cut and fill by conforming the trail to existing grade to the extent feasible, which helps maintain the conveyance capacity of the floodway. As described in Section 3.2.7, it is anticipated that the project would require approximately 75 cubic yards of imported fill to construct the proposed approach ramps and trail connection in the sloped area near Scenic Circle. The proposed trail connection would generally conform to existing grade along the primary flood conveyance zone on the project site; therefore, it is unlikely that fill used for project construction would affect flood water elevations.[47] In addition, the width of the floodplain in the site vicinity provides a large volume of flood conveyance capacity, which further reduces the potential for the proposed trail and associated improvements to impede or redirect flood flows. For these reasons, the proposed project would not result in significant flooding impacts.

Drainage

The proposed trail would consist of crushed or decomposed granite or a similar material. The project proposes to include a stabilizer in the trail surface to reduce the potential for erosion. While crushed or decomposed granite with stabilizer is not completely impervious, for purposes of this analysis, it is assumed that construction of a trail would add approximately 2,500 square feet of impervious surfaces to the project area.[48] In accordance with Santa Clara Valley Water District (SCVWD) guidelines, surface water will be diverted from the trail by cross-sloping the trail surfacing by up to two percent where needed. Runoff would be directed to the surrounding pervious surfaces. Given the linear and narrow nature of the proposed increase in paved surfaces, the proposed project would not substantially increase the rate or amount of surface runoff.

[47] Balance Hydrologics, Inc. "Scenic Circle Proposed Path Potential Flood Concerns Evaluation." October 2010.
[48] Hill Associates. Personal communication. October 2010.

Grading and filling for construction of the proposed trail connection and approach ramps could affect the natural drainage pattern; however, the trail alignment conforms to grade to the extent possible and substantial grading and filling would not be required. Furthermore, the project proposes to support any cut or fill slopes adjacent to the trail connection with retaining walls and disturbed slopes will be reseeded or replanted following project construction. In addition, the project has been designed to avoid tree removal to the maximum extent feasible. Maintaining vegetation protects soil structure and aids in soil permeability, which minimizes potential effects on drainage and water quality resulting from erosion and siltation.

For these reasons, the proposed project would not alter the existing drainage pattern in a manner that could contribute to flooding or result in substantial erosion or siltation in the project area.

4.9.2.2 *Flooding Impacts to Proposed Structures and Trail Users*

The project does not include the development of residential uses, and therefore, it would not place housing within a 100-year flood hazard area.

Given the project site's location within the floodplain, the project would be exposed to occasional flood events. The wooden approach ramps and stairway would be designed and constructed to withstand routine high flow events; however, there is the potential that some reconstruction may be required in the event of a major flood event. Decomposed or crushed granite (or similar material) could be replaced in the event the trail surface is washed away during a flood event(s). Therefore, potential damage to proposed structures as a result of flooding would not be significant.

As with the existing creek trail through the Stevens Creek Corridor Park, the proposed trail connection would close during flooding events. Therefore, trail users would not be subjected to impacts from flooding.

4.9.2.3 *Water Quality*

Long-term Impacts

To minimize the potential for littering, the City proposes to install trash and recycling receptacles inside Blackberry Farm Park near the proposed access point on Scenic Circle, beyond the gate. Park rangers would be responsible for daily pick up of trash/recyclables in vicinity of the gate, which would reduce the potential for litter generated by trail users to enter Stevens Creek. In addition, the presence of trail users within the creek area could discourage unlawful activity, including illegal dumping. The project could also improve access to the creek for volunteer creek clean-ups, which is an institutional control commonly used in the area for removing trash from urban creeks.[49] Therefore, the project is not anticipated to increase the amount of trash entering the creek or cause additional sources of pollution.

As previously described, the proposed project is not expected to generate a substantial amount of stormwater runoff. As further described in Section 4.10 *Land Use*, the proposed project would be consistent with the SCVWD's *Guidelines and Standards for Land Use Near Streams*, which contain strategies for protecting water resources in Santa Clara County.

[49] SCVURPPP. *Trash BMP Toolbox*. September 2007.

For these reasons, the project would not substantially increase polluted runoff or otherwise degrade the water quality of Stevens Creek or San Francisco Bay.

Short-term Impacts

Construction of the proposed project would require minor grading and the removal and/or trimming of trees at the embankment along Scenic Circle. These activities may result in temporary impacts to surface water quality by increasing the potential for sedimentation during construction. Surface runoff during construction could discharge into the creek. Chemicals commonly used during construction (i.e., fuel, lubricants, solvents, and motor oil) could also degrade water quality if allowed to enter the creek.

As described in Section 4.4 *Biological Resources*, temporary impacts to aquatic habitat will be avoided by staging construction equipment in upland and/or currently developed areas to the maximum extent feasible.

The proposed project includes implementation of applicable BMPs from the SCVWD's *BMP Handbook* (most recent update), as listed in Appendix A. The project also proposes to implement applicable construction BMPs in the SCVURPPP's *Blueprint for a Clean Bay* (Bay Area Stormwater Management Agencies Association, 2004). The proposed erosion control measures are intended to retain sediment on the site during grading operations, site preparation, and project construction. For example, silt fencing would be placed on the downslope along the construction zone. Proposed BMPs also include hazardous materials management, spill prevention, and site maintenance measures that are intended to avoid impacts associated with chemical and fuel use during construction (refer to Section 4.8 *Hazards and Hazardous Materials*).

With implementation of these BMPs, the proposed project would not result in significant construction-related impacts to water quality.

4.9.3 Conclusion

The proposed project would not substantially alter the existing drainage pattern of the project area or expose structures or people to significant risk involving flooding. The project includes standard BMPs to avoid impacts to water quality during construction. **(Less than Significant Impact)**

4.10 LAND USE

4.10.1 Setting

4.10.1.1 *Existing Uses in the Project Area*

The project site is located within Stevens Creek Corridor park lands, a public open space area that was developed under a restoration and master plan approved in 2006 (refer to Section 3.1.1 *Background*). The proposed trail alignment travels through oak woodland and riparian habitats.

The project would connect Scenic Circle (located on the west side of the creek) to Blackberry Farm Park and the existing Stevens Creek Trail (on east side of the creek) via an existing pedestrian bridge. Scenic Circle is a local street that serves single-family residences. Blackberry Farm Park was converted to a year-round community park in 2009 and consists of picnic areas, swimming pools, a children's play area, and other recreational facilities. McClellan Ranch Park, Monta Vista High School, Kennedy Middle School, and Lincoln Elementary School are also located east of the creek in the general project vicinity.

4.10.1.2 *Applicable Land Use Plans, Policies, and Regulations*

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

Cupertino General Plan

The project site is designated as *Parks and Open Space* on the Cupertino General Plan Land Use Map (2005). This land use designation is intended to ensure the availability of land for the preservation of natural resources and for recreational purposes. The Scenic Circle neighborhood is designated as *Low Density Residential*.

The City of Cupertino's General Plan contains policies related to open space, parks and trails, as well as environmental resources. Promoting more trails and connectivity along creeks, hillsides, and through neighborhoods is a major goal of the General Plan. The Stevens Creek Corridor is considered Cupertino's most prominent urban open space resource and is identified as a major trail corridor in the city. The General Plan includes policies and strategies related to the enhancement of the Stevens Creek Corridor as a community resource.

The following policies in the Land Use/Community Design Element of the General Plan are most relevant to the proposed project:

> ***Policy 2-75: Park Walking Distance***
> Ensure that each household is within a half-mile walk of a neighborhood park, or community park with neighborhood facilities, and that the route is reasonably free of physical barriers, including streets with heavy traffic. Wherever possible, provide pedestrian links between parks.
>
> ***Policy 2-73: Open Space and Trail Linkages***
> Dedicate or acquire open space lands and trail linkages to connect areas and provide for a more walkable community.

Relevant policies in the Environmental Resources/Sustainability Element of the General Plan include:

Policy 5-10: Landscaping Near Natural Vegetation
Emphasize drought tolerant and pest-resistant native and non-invasive, non-native, drought tolerant plants and ground covers when landscaping properties near natural vegetation, particularly for control of erosion from disturbance to the natural terrain.

Policy 5-11: Natural Area Protection
Preserve and enhance the existing natural vegetation, landscape features and open space when new development is proposed.

Policy 5-13: Recreation in Natural Areas
Limit recreation in natural areas to activities compatible with preserving natural vegetation, such as hiking, horseback riding, mountain biking and camping.

Policy 5-14: Recreation and Wildlife Trails
Provide open space linkages within and between properties for both recreational and wildlife activities, most specifically for the benefit of wildlife that is threatened, endangered or designated as species of special concern.

Cupertino Ordinances

The proposed project would be subject to Cupertino's Zoning Ordinance. The majority of the project site is zoned *PR – Park and Recreation* with a very small portion zoned *R1-7.5, Single Family Residential*. The Scenic Circle neighborhood is also zoned *R1-7.5* on the Cupertino Zoning Map (2010).

The *Park and Recreation* zone regulates the land uses and recreational activity permitted within publicly owned parks within the City. In addition to parks, playgrounds, recreation facilities, and nature preserves, other permitted uses in the *Park and Recreation* zoning district include agricultural uses, single-family residences for the purpose of housing a caretaker of the park, and parking or other accessory facilities incidental to the permitted uses.

The Cupertino Tree Ordinance is addressed in Section 4.4 *Biological Resources*, and the Noise Ordinance is addressed in Section 4.12 *Noise*.

Santa Clara County – Countywide Trails Master Plan Update

The *1995 Countywide Trails Master Plan Update* (Master Plan Update) was prepared as an element of the Santa Clara County General Plan. The Master Plan Update includes strategies and policies to direct the County's trail implementation efforts well into the twenty-first century. The Master Plan Update also identifies potential trail routes throughout the county. The Stevens Creek Trail is identified as a sub-regional trail crossing the cities of Mountain View, Sunnyvale, Los Altos, and Cupertino linking the San Francisco Bay Trail with the Bay Area Ridge Trail.

The Master Plan Update includes design, use, and management guidelines for the implementation of new county trails. The guidelines address trails and land use compatibility, environmental protection, emergency access, easements, trail design, visual screening, fire protection, signage, and maintenance. The guidelines in the Master Plan Update are generally directed to rural areas in the County. The guidelines are intended to provide general guidance, rather than standards that dictate

the trail design. Each trail should be evaluated individually, taking into account actual field conditions and trail route/land use relationships.

Strategies and policies included in the County's Master Plan Update for the purpose of addressing environmental effects of trail development include the following:

- Provide recreation, transportation, and other public trail needs in balance with environmental and landowner concerns.

- Trail routes shall be located, designed and developed with sensitivity to their potential environmental, recreational, and other impacts on adjacent lands and private property.

- Adequately operate and maintain trails so that user safety, resource conditions, and adjacent land uses are not compromised.

- Trails shall be temporarily closed when conditions become unsafe or environmental resources are severely impacted.

- Levels-of-use and types-of-use on trails shall be controlled to avoid unsafe use conditions or severe environmental degradation.

Santa Clara Valley Water District (SCVWD)

The SCVWD is a special purpose governmental agency with jurisdiction over all creeks, channels, and floodways that are within the district's boundaries. An encroachment permit must be obtained from the SCVWD for construction on land either owned by, or under easement to, the district. Otherwise, each city or the County has permitting authority for streamside activities on all properties located within 50 feet from the top of bank.

The SCVWD's Water Resources Protection Collaborative developed the *Guidelines and Standards for Land Use Near Streams* to assist local agencies, homeowners, and developers about the permitting requirements, with the ultimate goal of protecting streams and adjacent property owners. If a proposed project falls within the "streamside review area," the permitting agency reviews the permit application using these guidelines. A Streamside Permit from the City of Cupertino would be required for the proposed project.

4.10.2 Environmental Checklist and Discussion of Impacts

LAND USE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Physically divide an established community?	☐	☐	☐	☒	☐	1, 18
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, 4, 18, 19
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	☐	1

The proposed project is the construction of a trail connection on land within Blackberry Farm Park. Construction of the proposed project would occur within the existing public right-of-way. No existing land uses on the project site or in the surrounding area would be altered as a result of the proposed project.

4.10.2.1 *Land Use Compatibility*

The proposed trail connection would be used for non-motorized travel (i.e., walking, jogging, bicycling, etc.). Equestrian use would not be permitted, although leashed dogs would be allowed. The project is intended to provide alternative transportation options and enhance recreational opportunities for residents that live in the area. The proposed access point to the trail connection is located as far from the nearest residences as practical, in conformance with Santa Clara County's trail design guidelines for land use compatibility. The City of Cupertino held two meetings with residents during the conceptual design phase of the trail connection to provide the opportunity for community input and to help ensure neighborhood concerns were considered in the project proposal. The trail connection has been designed to minimize conflicts with existing land uses in the surrounding area, including existing residential uses and public parks/open space.

The project does not include any features that would divide established communities. Currently, Stevens Creek divides the residential areas to the west with the public amenities to the east, and a limited number of vehicular and pedestrian bridges serve as connections. The proposed trail project would connect an existing residential area to parks, public open space, schools, and the city's trail network. The proposed project would improve connectivity and would not physically divide the surrounding community.

As described in Section 4.16 *Transportation*, the proposed project is not anticipated to attract vehicle traffic to the Scenic Circle neighborhood. The project is intended to serve residents travelling by foot or bicycle. Existing parking would continue to be available at Blackberry Farm and McClellan Ranch Parks for park and trail users arriving by vehicle, and "No Park Parking" signage would be

posted at Scenic Circle to discourage vehicle parking. Scenic Circle is an isolated neighborhood that does not provide an obvious access point to the park, and the proposed project is not expected to attract a substantial volume of people. The project includes additional options for parking control should the proposed Tier 1 measure not be effective at discouraging people from parking their vehicles on Scenic Circle (refer to Section 3.2.4 of the Project Description). Therefore, the proposed project would not result in land use impacts as a result of increased traffic in the Scenic Circle neighborhood.

For the reasons described above, the proposed project would not result in significant land use compatibility impacts.

4.10.2.2 *Conformance with Land Use Plans*

Cupertino Zoning Ordinance

The proposed project would not conflict with the *PR – Park and Recreation* or *R1-7.5* zoning on the site. The *PR – Park and Recreation* is intended to allow a range of recreational facilities for public use, including trails. The project would be consistent with these zoning districts, because it would provide pedestrian and bicycle facilities for resident use. The project is intended to enhance the enjoyment of park users, while minimizing effects on nearby private property owners.

Cupertino General Plan

The proposed project is consistent with the Cupertino General Plan land use designation of *Parks and Open Space* because it is the construction of a trail connection for recreational uses. The proposed improvements along Scenic Circle, including the at-grade access point, would not conflict with the General Plan land use designations of adjacent residential properties. The proposed project is consistent with the intended use of Stevens Creek Corridor park lands by improving connectivity to a major trail corridor and encouraging resident use of the open space areas and community parks.

The project is consistent with the above Land Use policies as it would provide a more walkable community by dedicating a trail linkage connecting residential and parks/open space areas. The project would help the City further its goal of ensuring that each household is within a half-mile walk of a community park by providing a direct pedestrian connection between the Scenic Circle neighborhood and Blackberry Farm Park.

The project is also consistent with the policies in the Environmental Resources/Sustainability Element of the Cupertino General Plan. The proposed project would provide open space linkages for both recreational and wildlife activities, would incorporate recreational use compatible with preserving natural vegetation, and use native vegetation in the restoration of woodland habitat within the Stevens Creek corridor. The project also includes measures to avoid and minimize impacts to biological and water resources during construction.

Where applicable, other General Plan policies are discussed in the relevant environmental sections as they relate to other environmental issues (e.g. General Plan Noise policies are discussed in the Noise section).

Santa Clara County Countywide Trails Master Plan

The proposed project is the connection to a sub-regional trail as identified in the *1995 Countywide Trails Master Plan Update*. The proposed project would not conflict with the intended uses of the

trail (i.e., hiking and biking). The Master Plan Update was considered during the conceptual design stage for the proposed trail connection. Guidelines have been incorporated into the project with the purpose of reducing or avoiding environmental impacts, as described in Sections 4.4 *Biological Resources* and 4.14 *Public Services*. The proposed project is generally consistent with strategies and guidelines in Santa Clara County's *Countywide Trails Master Plan Update* and the associated *Uniform Interjurisdictional Trail Design, Use, and Management Guidelines*.

Santa Clara Valley Water District (SCVWD)

A Streamside Permit from the City of Cupertino would be obtained for the proposed project. The SCVWD's *Guidelines and Standards for Land Use Near Streams* were considered during the design development of the proposed trail connection and the design is consistent with applicable guidelines.

4.10.2.3 *Construction-related Impacts*

Project construction could cause temporary annoyances to the residential uses adjacent to the site. As discussed in Sections 4.3 *Air Quality* and 4.12 *Noise*, the proposed project includes mitigation and avoidance measures to reduce short-term impacts to adjacent residential uses to a less than significant level.

During project construction, trucks would be used to haul materials to and from the site. Construction vehicle and equipment access would occur from both the east and west sides of the creek, since the project involves work and improvements on both sides. Given the size and nature of the proposed project, truck traffic volumes are expected to be low. It is estimated that the delivery of imported fill would require approximately 12 truck trips, and trail material delivery would involve approximately eight truck trips. Construction activity, including material deliveries, would occur in conformance with the Cupertino Municipal Code. For these reasons, construction-related traffic is not expected to significantly affect residential neighborhoods.

4.10.3 Conclusion

The proposed project would not result in significant impacts associated with land use compatibility. The project does not conflict with any applicable land use plan, policy, or regulation. **(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. The *Santa Clara County General Plan* (1995) does not identify any significant mineral resource area in the urbanized areas of the County, including the project area.

4.11.2 Environmental Checklist and Discussion of Impacts

MINERAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	☐	1
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	☐	1

The project site is not located within a designated area containing mineral deposits of regional or local significance and therefore, would not result in the loss of availability of a known mineral resource.

4.11.3 Conclusion

The proposed project would not result in a significant impact from the loss of availability of a known mineral resource. **(No Impact)**

4.12 NOISE

4.12.1 Setting

Noise is generally defined as unwanted sound. Noise levels are usually measured and reported in decibels (dB), which is a numerical expression of sound levels on a logarithmic scale.

4.12.1.1 *Applicable Noise Standards and Policies*

According to the Cupertino General Plan (2005), the maximum normally acceptable Community Noise Exposure Level (CNEL) level for outdoor recreation areas is 70 dB for playgrounds and neighborhood parks.[50] The City of Cupertino has a comprehensive noise ordinance (Chapter 10.48 of the Cupertino Municipal Code) that regulates both temporary (construction) and permanent noise levels that are allowed within the City.

The project site is not located within an airport land use plan or within the vicinity of a private airstrip or public use airport.

4.12.1.2 *Existing Noise Sources*

In Cupertino, the predominant source of noise is from vehicle and truck traffic on the City's roadways. The major roads in the project area include Stevens Creek Boulevard, Foothill Boulevard, Byrne Avenue, and McClellan Road. Large picnic groups at Blackberry Farm Park during the summer are also a source of noise in the vicinity of the existing pedestrian bridge on the project site.

4.12.1.3 *Sensitive Receptors*

Residential land uses are considered to be more "sensitive" to noise because some associated activities require a quiet noise environment, such as sleeping. Sensitive noise receptors in the project vicinity include the single-family residences located in the Scenic Circle neighborhood to the south. The closest residence is located approximately 65 feet from the project site.

[50] CNEL is a 24-hour average of noise levels, with a five dBA penalty applied to the hourly Leq for noise occurring from 7:00 p.m. to 10:00 p.m, and 10 dB penalties applied for noises occurring between 10 p.m. and 7 a.m.

4.12.2 Environmental Checklist and Discussion of Impacts

NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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, 4, 11, 18
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	☐	1, 11
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐	1, 11
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐	1, 11
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1

4.12.2.1 *Long-Term Noise Impacts*

The residences located on Scenic Circle south of the site are considered noise sensitive uses. Long-term noise related to the proposed project would be from the trail users. Specific sources would typically consist of human behaviors (conversations, laughing, shouting, etc.) and warning bells mounted on bicycles. Typical noise levels associated with a shout or ringing bell would be 65-70 decibels at a distance of 20 feet, with conversations and laughing measuring 50-55 decibels at the same distance. While it is likely that occasional noise from trail users would be audible at nearby residences, the effects would not be significant based on the following facts:

- The noise generated by the proposed trail connection would be consistent with the existing sources of ambient noise, given the neighborhood setting and proximity to park uses.

- The proposed trail connection will be open daily during park hours and will be locked at all other times, eliminating the potential for any trail-generated noise to disturb residences during the noise-sensitive nighttime hours. Currently park hours are sunrise to a half hour after sunset.[51]

- The provision of parking for users of the trail connection is not included in the project. The trail connection is intended to serve local pedestrians and bicyclists. Park and trail parking would be discouraged with the posting of signage in the Scenic Circle neighborhood (refer to Section 3.2.4). Therefore, the proposed project would not result in a significant increase in traffic noise on Scenic Circle.

Given the intermittent use of the trail during day-time hours and the relatively low increase in noise, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project area above existing levels. The proposed project would not generate noise levels in excess of long-term standards established in the Cupertino General Plan or noise ordinance.

Impacts to the Trail Users

Ambient noise levels along the proposed trail connection would be consistent with the noise levels in the surrounding residential neighborhood and Blackberry Farm Park. Therefore, trail users would not be exposed to levels in excess of Cupertino standards for park and trail uses.

4.13.2.2 *Short-Term Construction Noise*

Construction of the trail and other project improvements would result in short-term, localized increases in ambient noise levels at adjacent residential and park uses during the expected construction period (approximately four months). Given that construction noise depends on the type of activity, noise levels would vary considerably day-to-day, and nearby residents would not be continuously exposed to maximum noise levels throughout the construction period. Noise levels are expected to be highest during site grading, which is anticipated to require approximately one month.

The proposed project would be subject to the Cupertino Noise Ordinance, including the following restrictions in Section 10.48.053, "Grading, Construction and Demolition":

A. Grading, construction and demolition activities shall be allowed to exceed the noise limits of Section 10.48.040 during daytime hours; provided, that the equipment utilized has high-quality noise muffler and abatement devices installed and in good condition, and the activity meets one of the following two criteria:

    1. No individual device produces a noise level more than eighty-seven dBA at a distance of twenty-five feet (7.5 meters); or
    2. The noise level on any nearby property does not exceed eighty dBA.

B. Notwithstanding Section 10.48.053A, it is a violation of this chapter to engage in any grading, street construction, demolition or underground utility work within seven hundred fifty feet of a residential area on Saturdays, Sundays and holidays, and during the nighttime period, except as provided in Section 10.48.030.

[51] Park hours may be adjusted in the future to accommodate school activities at public schools in the area per City Council direction on October 5, 2010; however, if implemented, this adjustment is not expected to result in noise that would be considered significant.

C. Construction, other than street construction, is prohibited on holidays, except as provided in Sections 10.48.029 and 10.48.030.

D. Construction, other than street construction, is prohibited during nighttime periods unless it meets the nighttime standards of Section 10.48.040.

By limiting construction to daytime hours and prohibiting certain construction activities during nighttime hours and on weekends and holidays, the potential for construction noise to disturb residences during the noise-sensitive hours would be minimized. In addition, by restricting heavy construction activities to the hours when the majority of residents may be at work or school, the number of people affected by elevated noise levels is reduced.

Given that completion of the project would require less than one construction season, the effects of construction on ambient noise levels would be temporary in nature. The project would not require the extended use of any heavy equipment that would generate a substantial prolonged increase in ambient noise levels in the project vicinity. The project would comply with the Cupertino Noise Ordinance and includes additional avoidance measures to control construction noise. For these reasons, construction of the proposed project would not result in significant noise impacts to surrounding residential uses during construction.

4.13.3 Conclusion

The proposed project would not result in significant short- or long-term noise impacts to surrounding residential uses. Impacts to future trail users as a result of the existing ambient noise levels in the project area would also be less than significant. **(Less than Significant Impact)**

4.13 POPULATION AND HOUSING

4.13.1 Setting

According to the Association of Bay Area Governments (ABAG), the population of the City of Cupertino in 2000 was 50,546. The population of Cupertino is expected to increase to approximately 57,100 in 2030.[52] There are no dwelling units located on the site.

4.13.2 Environmental Checklist and Discussion of Impacts

POPULATION AND HOUSING						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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

The proposed project is the construction of a trail connection within a developed area of Cupertino. The trail connection would link an existing neighborhood street (Scenic Circle) to an existing trail through Blackberry Farm Park, utilizing an existing pedestrian bridge over Stevens Creek. The project is intended to serve the residential population in the project area.

The proposed project does not include the demolition of existing structures, and therefore, it would not displace any housing. Given the nature of the project and that the surrounding area is currently served by transportation infrastructure, the construction of the proposed trail would not induce growth in the area.

4.14.3 Conclusion

The proposed project would not affect population or housing within the project area or regionally. No mitigation measures are required or proposed. **(No Impact)**

[52] Association of Bay Area Governments. *Projections 2009.*

4.14 PUBLIC SERVICES

4.14.1 Setting

4.15.1.1 *Fire and Police Service*

The proposed project is located within an urbanized area of Cupertino. Fire, police, and emergency services are provided by Santa Clara County. The closest fire station is the Monta Vista Fire Station, which is located on Stevens Creek Blvd west of South Foothill Boulevard, approximately one mile from the project site. The Santa Clara County Sheriff Department provides police patrol services, criminal investigation, traffic enforcement, accident investigation and tactical teams for the City of Cupertino.

4.15.1.2 *Schools, Parks, and Other Public Services*

The project site is located within the public open space area of the Stevens Creek Corridor park lands, which include Blackberry Farm and McClellan Ranch Parks. Blackberry Farm Park, a community park, is located on the east side of the creek, adjacent to the project site. McClellan Ranch Park is located east of the creek, south of Scenic Circle. Although the neighborhood is essentially bounded by these two parks, there is no direct connection and residents currently have to use streets outside of the neighborhood to access these parks. Using the McClellan Road route, the walking distance from the Scenic Boulevard/Palm Avenue intersection to the entrance of McClellan Ranch Park is approximately 0.38 miles, while distance to the entrance of Blackberry Farm Park is approximately 1.09 miles. An additional public neighborhood park, Monta Vista Park, is located approximately 0.35 miles (walking distance) west of the Scenic Circle neighborhood.

The project alignment connects to an approximately 0.7-mile long reach of the Stevens Creek Trail that runs along the east side of the creek through Blackberry Farm and McClellan Ranch parks. The public parks and associated creek trail within Stevens Creek Corridor are open to the public daily. A Park ranger patrols these facilities.

4.14.2 Environmental Checklist and Discussion of Impacts

PUBLIC SERVICES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) 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
Schools?	☐	☐	☐	☒	☐	1
Parks?	☐	☐	☐	☐	☒	1
Other Public Facilities?	☐	☐	☒	☐	☐	1

4.15.2.1 *Fire and Police Service*

The project could potentially increase the need for police and fire protection services because the trail connection would be located in an area not currently open to the public (although this area was formerly used as a group picnic area until its removal in 2008). The introduction of more individuals along the proposed alignment may increase calls for service within the project area. The reported incidents, if any, are expected to be similar to those that occur at neighborhood parks or other trails in the region. The proposed project, however, would not result in a significant increase in the need for fire or police services within the project area.

Furthermore, the presence of trail users within the creek area could discourage unlawful activity, including the setting of fires. The construction of the trail itself could also improve emergency access to the west side of the creek, which is fairly secluded due to the existing fencing along Scenic Circle.

Adequate fire, police, and emergency access would be maintained on the project site during and after construction. Adequate water supply to fight fires is provided by existing fire hydrants located within the adjacent residential neighborhood, an existing hydrant located approximately 130 feet from the east end of the bridge, and other hydrants in the public park area. For these reasons, no new police or fire facilities would be needed to maintain response times or other performance objectives.

4.15.2.2 *Schools, Parks, and Other Public Services*

The proposed project is the construction of a trail connection that would provide direct, year round pedestrian and bicycle access from the Scenic Circle neighborhood to a community park and existing creek trail. Because the proposed project does not include the construction of new buildings or land uses, it would not generate students served by local schools or increase the demand for parks and other public facilities such as community centers or libraries.

As discussed in Section 4.10 *Land Use*, the purpose of the proposed project directly supports the Cupertino General Plan goal of ensuring that each household is within a half-mile walk of a community park, because the trail connection would substantially reduce the walking distance from the residential area west of the creek to Blackberry Farm Park and other public parks such as McClellan Ranch Park. By supporting the City's performance objectives for walkability, connectivity, and park access, the proposed project would have a beneficial effect on the provision of public parks in Cupertino.

The proposed trail connection would result in a slight increase in the need for trail maintenance by the City of Cupertino maintenance staff and/or rangers. The trail would require regular maintenance such as litter and dog waste pickup, emptying trash receptacles, sweeping or removing major debris from the trail, and repairs. The City's park rangers would perform light maintenance duties at the park and on the trail. Major maintenance activities would be implemented by City maintenance or public works staff, as is the case for Stevens Creek Trail.

The Trail Use and Management Guidelines in the *Countywide Trails Master Plan Update* (1995) include measures intended to ensure that trails would be adequately maintained, including trail closure or repair as warranted; good pruning practices; corrective work for drainage or erosion problems; and replacement of damaged gates, fences, and barriers. As with the existing Stevens Creek Trail through Blackberry Farm and McClellan Ranch parks, these measures would be implemented as part of the operation of the proposed trail connection project.

While the proposed trail and access point would result in an additional trail access area to be maintained, the existing maintenance facilities of the City of Cupertino would be adequate to serve the project. The project site is within Blackberry Farm Park and is operated and maintained by the City. There would be no need for any new or additional maintenance facilities to maintain performance objectives for public trail facilities.

4.15.3 Conclusion

The proposed project could result in a slight increase in the demand for police and fire protection; however, emergency access to the creek area would be improved overall. The project would provide additional recreational opportunities within the project area. Therefore, the project would not result in significant impacts to public services and no mitigation measures are proposed or required. **(Less than Significant Impact)**

4.15 RECREATION

4.15.1 Setting

The project site is located within a primarily residential area of Cupertino. As described in Section 4.14 *Public Services*, there are several public parks within the project area. Blackberry Farm Park includes various recreational features including swimming pools, children's play areas, and other amenities. McClellan Ranch Park includes a nature preserve, trails, and a community garden.

4.15.2 Environmental Checklist and Discussion of Impacts

RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐	☐	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

As described in Section 3.1.2, the proposed trail connection would serve as an access point to Blackberry Farm Park and the Stevens Creek Trail from the Scenic Circle neighborhood for residents travelling by foot or bicycle. The proposed project is intended to enhance recreational opportunities, improve connectivity with the citywide trail network, and increase access to open space and parkland. Linking to existing trails also maximizes use of trail amenities (i.e., restrooms, trash receptacles, bike racks, parking, etc.). Because the project would improve resident access, it could incrementally increase use of Blackberry Farm Park and other recreational facilities in the area such as McClellan Ranch Park and the creek trail. It is not anticipated that this change would result in the accelerated or substantial deterioration of these existing recreational facilities.

The proposed project is the construction of a recreational facility: a trail connection within a public open space area. The project would not result in significant environmental effects with the implementation of avoidance and mitigation measures, as described in this Initial Study. The project would not require the expansion of other recreational facilities that might have an adverse physical effect on the environment.

4.16.3 Conclusion

The project would not result in physical deterioration of existing recreational facilities. No mitigation measures are required or proposed. **(Less than Significant Impact)**

4.16 TRANSPORTATION

4.16.1 Setting

The project alignment is bounded by Scenic Circle to the south (on the west side of the Stevens Creek) and an existing creek trail through Blackberry Farm Park to the north (east side of the creek). Regional access to the project site is provided by State Route (SR) 85 and Interstate 280.

Scenic Circle is a neighborhood street that serves single-family residences. It forms a loop and connects to Scenic Boulevard at the intersection with Palm Avenue. Access to the Scenic Circle neighborhood is provided by Foothill Boulevard via Palm Avenue, McClellan Road via Mira Vista/Palm Avenue, and local streets via Scenic Boulevard.

Blackberry Farm Park is located off San Fernando Avenue. Local access to the park is provided by McClellan Road via Byrne Avenue. The creek trail extends northward from McClellan Road at McClellan Ranch Park.

The proposed project is not near a private or public airport.

4.16.1.1 *Pedestrian, Bicycle, and Transit Facilities*

Sidewalks are provided along the "inner" side of Scenic Circle adjacent to the residences, but not along the creek-side of the street. Although some roads lack sidewalks, crosswalks, and designated bike lanes, most neighborhood streets in the area are suitable for bicycle and pedestrian travel due to the low traffic volumes and vehicle speeds, including Scenic Circle.

On-street bike lanes are provided on McClellan Road (east of Byrne Avenue), Stevens Creek Boulevard, and Foothill Boulevard in the project area. McClellan Road between Byrne Avenue and Foothill Boulevard has a street rating of "alert" according to the VTA's *Bikeways Map* (2008).[53] This rating is given to streets with moderate traffic volumes and speeds, a medium-width travel area for bicycles (along shoulders or curb lanes), and a moderate to high parking turnover.

The Santa Clara Valley Transportation Authority (VTA) provides transit service in the project area. The closest bus route to the site is Route 51, which runs along Stevens Creek Boulevard, approximately 0.5 miles to the north.[54] Route 51 provides service between De Anza College and Moffett Airfield.

4.16.1.2 *Regulatory Framework*

As described in Section 4.11 *Land Use*, the Cupertino General Plan contains policies that support the creation of trail linkages. Cupertino's Pedestrian Transportation Plan (2002) and Bicycle Transportation Plan (1998) also outline the City's goals to increase walkability and expand the bicycle network. In addition, Santa Clara County's *1995 Countywide Trails Master Plan Update* and the associated *Uniform Interjurisdictional Trail Design, Use, and Management Guidelines* identify potential trail routes and include guidelines for trails.

[53] Rated streets are frequently used by bicyclists. The street ratings on VTA's *Bikeways Map* include "Extreme Caution" to "Alert" to "Moderate". The map is available at: http://www.vta.org/schedules/bikeways_map.html.
[54] Santa Clara Valley Transportation Authority. *Bus & Rail Map*. Effective January 11, 2010. Available at: http://www.vta.org/schedules/pdf/bus_rail_map_a.pdf.

Congestion Management Program

VTA is the Congestion Management Agency (CMA) for Santa Clara County and oversees the County's Congestion Management Program (CMP). In conformance with state legislation, the County's CMP contains the five mandatory elements: 1) a system definition and traffic level of service (LOS) standard element; 2) a transit service and standards element; 3) a transportation demand management and trip reduction element; 4) a land use impact analysis element; and 5) a capital improvement element. The CMP also includes a Multimodal Performance Measures Element to evaluate how well the CMP Transportation System serves the traveling public.

The CMP Transportation System consists of three networks: roadway, transit, and bicycle. The roadway network includes interstate highways, state highways, county expressways, and principal arterials. CMP-designated intersections are monitored for conformance with the CMP's traffic level of service standard (LOS E).[55] CMP-designated roadway facilities in the project vicinity include Stevens Creek Boulevard, I-280, and SR 85.

According to the CMP, bicycles play a significant role in the countywide transportation system by providing both direct transportation and access to public transit services.[56] Therefore, one of the goals of the CMP is to provide for safe and convenient bicycling for various types of trips, such as work, school, errands, and recreation by focusing improvements on the cross-county bicycle corridors.[57] The CMP bicycle network is based on the countywide bicycle plan, originally adopted by VTA in 2000 and updated in 2008. According to the *2008 Santa Clara Countywide Bicycle Plan*, the Stevens Creek Trail is designated as a cross-county bicycle corridor.

[55] Santa Clara Valley Transportation Authority. *VTA Transportation Handbook*. 2009. Available at: http://www.vta.org/brochures_publications/transportation_handbook.html.
[56] Ibid.
[57] Santa Clara Valley Transportation Authority. *Draft 2007 CMP*. November 2007.

4.16.2 Environmental Checklist and Discussion of Impacts

TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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, 18, 19
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, 18, 19

Given that the project site is not near a private or public airport, the project would not affect air traffic patterns.

4.16.2.1 *Performance of the Circulation System*

The proposed project is the construction of a trail connection from Scenic Circle to Blackberry Farm Park. As previously described, the proposed trail connection would link a residential area with community parks/open space, schools, and the city's trail network. By providing residents with additional opportunities for using non-motorized modes of transportation, the project enhances the viability of trails as a travel option and may result in fewer vehicle trips in the community.

The proposed trail connection would basically serve as an additional access point to the park and creek trail. The project, however, is intended to serve the residents in the area travelling by foot or bicycle and not be a major access point. The creation of new vehicular parking for trail use is not part of the project. Visitors to Stevens Creek Trail and Blackberry Farm and McClellan Ranch parks that arrive by vehicle would continue to use the existing parking facilities on the east side of the creek. As described in Section 3.2.4, a sign would be posted on Scenic Boulevard at the entrance to the Scenic Circle neighborhood to discourage users of Stevens Creek Trail and park visitors from parking their vehicles on Scenic Circle. Additional parking control measures would be implemented should the proposed Tier 1 measure not be effective at restricting park and trail parking. Therefore, the proposed project is not expected to generate significant vehicle traffic in the Scenic Circle neighborhood.

Because the project is not expected to generate significant vehicle trips and could even reduce vehicle use in the city in the long-term, it would not result in significant transportation impacts caused by increased traffic congestion. The proposed trail connection would expand the network of pedestrian/bicycle facilities in the community, as well as improve conditions for non-motorized travel, as described below. For these reasons, the project could result in an overall beneficial effect on the performance of the city's circulation system.

4.16.2.2 *Hazards*

No design features that would increase hazards are included in the proposed project. All components of the proposed trail project, including the access point, approach ramps, and stairway, would be constructed according to the requirements of the Americans with Disabilities Act (ADA).

The proposed construction of an off-street pathway would provide a safer facility for non-motorized travel. By utilizing an existing pedestrian bridge over the creek, the project allows for a continuous off-street alignment and reduces exposure of pedestrian and bicyclists to conflicts with vehicles. In contrast, trails that utilize on-street alignments typically pose additional safety issues, particularly on streets that lack sidewalks and/or bicycle lanes. As previously described, McClellan Road has a street rating of "alert", and the use of the proposed trail connection would avoid potential conflicts with vehicles, pedestrians, and bicyclists on this street and other busy roadways in the area. Therefore, the project would improve safety conditions for local school children by allowing a more direct and safer route to the tri-school area east of the creek (including Monta Vista, Kennedy, and Lincoln Schools).

No sidewalks are located along the creek side of Scenic Circle; however, low traffic volumes and vehicle speeds should allow for the safe travel of pedestrians to the proposed trail access point.

Because the proposed project is designed to minimize hazards and provide an off-street alternative for pedestrians and bicyclists, the project would not result in significant safety impacts.

4.16.2.3 *Impacts to Transit*

By providing a direct connection to an existing creek trail that is proposed to extend north to Stevens Creek Boulevard, the proposed project would ultimately improve access to the nearest bus route on Stevens Creek Boulevard. The proposed project would not adversely affect transit service within the project area and could even complement the use of transit as a commute option. Therefore, the proposed project would not conflict with policies, plans, or programs supporting transit.

4.16.2.4 *Emergency Access*

Emergency personnel would be able to access the project site from Scenic Circle and Blackberry Farm Park. The proposed project may improve emergency access to the west side of the creek by providing a formal pathway through an open space area that is currently closed to the public.

4.16.2.5 *Consistency with Plans, Policies, and Programs*

As described in Section 4.11 *Land Use*, the project is generally consistent with the policies regarding bicycle transportation and encouraging alternatives to the use of the automobile in the Cupertino General Plan. The project is also generally consistent with the Santa Clara County's *1995 Countywide Trails Master Plan* and associated *Uniform Interjurisdictional Trail Design, Use, and Management Guidelines*. The conceptual design process for the proposed project took into account environmental conditions, land use compatibility, connectivity with the trail network, and safety. The project is consistent with the City's goals to increase walkability and expand the bicycle network as outlined in Cupertino's Pedestrian Transportation Plan (2002) and Bicycle Transportation Plan (1998).

Because the proposed project is not expected to generate vehicle traffic, it would not affect CMP-designated roadways in the project area. The project supports the development of a cross-county bicycle corridor, as established in the *2008 Santa Clara Countywide Bicycle Plan*. The project is consistent with the CMP goal to provide for safe and convenient bicycling for a variety of trip types, as described above. For these reasons, the proposed project would not conflict with any applicable plan, ordinance, or policy that measures the performance of the circulation system or supports public transit, bicycle, or pedestrian facilities.

4.16.3 Conclusion

The proposed trail connection would expand the network of pedestrian and bicycle facilities in the project area. The proposed project would not result in significant transportation impacts. No mitigation measures are required or proposed. **(Less than Significant Impact)**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Setting

The project area is currently served by existing utility lines. An existing irrigation system is located on the site in the flat area west of Stevens Creek. This system supports an upland vegetation restoration area that is currently maintained by the City.

4.17.2 Environmental Checklist and Discussion of Impacts

UTILITIES AND SERVICE SYSTEMS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information 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 storm water 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

The project does not include the construction or expansion of any new utilities, including storm drains, water pipelines, or sewer lines. The existing irrigation system on the site would be modified to accommodate the proposed trail alignment and proposed added plantings; however, these

improvements would not require substantial ground disturbance and would not cause any significant environmental effects. The project would not substantially affect demand for water supplies.

Wildlife-resistant trash/recycling receptacles would be provided on the project site. Park rangers would be responsible for daily pick up of the trash/recyclables disposed in the proposed receptacles. The project would not generate substantial amounts of solid waste, and landfills serving the project area would have sufficient capacity to accommodate the project's incremental increase in disposal needs.

4.17.3 Conclusion

The proposed project would not result in significant impacts to utilities and service systems. Therefore, no mitigation measures are required or proposed. **(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	Beneficial Impact	Information 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?	☐	☒	☐	☐	☐	1, 7, 9, 11
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)?	☐	☐	☒	☐	☐	1, 11
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	☐	1, 4, 10, 11, 12, 13, 15
4) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☐	☒	☐	1, 6, 18, 19

4.18.1 Environmental Effects of the Proposed Project

As determined in the previous sections of this Initial Study, the project would not result in significant environmental impacts with the implementation of mitigation and avoidance measures. These measures would ensure that existing biological resources and possible buried archaeological resources would not be significantly impacted by the project. For these reasons, the proposed project will not substantially degrade the quality of the environment, significantly affect protected plant or wildlife species, or eliminate important examples of California history or prehistory.

The proposed project would expand the pedestrian/bicycle network and improve safety conditions for non-motorized travel in the community. Final project design will be completed by appropriately licensed professionals and subject to review by the City to ensure the proposed design meets applicable code requirements. For these reasons, construction of the proposed project would not result in significant long-term or short-term environmental effects to human beings, either directly or indirectly.

While the project could result in temporary, construction-related effects to air quality, noise, and water quality, the project would not result in any significant impacts with implementation of the proposed mitigation and avoidance measures. The project is consistent with several long-term environmental goals, such as increasing access to parks and improving walkability in the community. For these reasons, the proposed project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

4.18.2 Cumulative Impacts of the Proposed Project

The project site is located adjacent to an established, primarily residential area of Cupertino. As described in various sections of this Initial Study, the City is carrying out a Master Plan for the Stevens Creek Corridor. Many elements of the Stevens Creek Corridor Park Master Plan have been completed, including Phase I improvements. The proposed project complements the beneficial effects of the Master Plan elements by providing trail facilities and improving non-motorized access to public park lands.

In addition to implementation of Phase 2 of the Master Plan, there are three other projects that have been approved within Stevens Creek Corridor. These include: 1) the construction of an environmental education building at McClellan Ranch; 2) the relocation of the Blacksmith Shop at McClellan Ranch; and 3) Blackberry Farm Infrastructure upgrades. No other improvements under the Stevens Creek Corridor project are planned in the vicinity of the trail connection project site.

The City-initiated projects could result in similar temporary construction-related air quality and noise impacts as the proposed project, although standard avoidance and mitigation measures would be implemented to reduce impacts to surrounding land uses and natural resources (if applicable) to a less than significant level.[58] Given the distance to McClellan Ranch Park (approximately one quarter mile away), the construction of an environmental education building and the relocation of the Blacksmith Shop would not affect the same receptors. Furthermore, construction of these two projects, as well as implementation of Phase 2 of the Stevens Creek Corridor Master Plan, is not expected to occur at the same time as the proposed Scenic Circle project. While the construction period for the Blackberry Farm Infrastructure project could overlap with the construction of the proposed trail connection, the park upgrades would also not substantially affect the residential uses on Scenic Circle, due to the nature of the planned improvements and distance to the nearest residences.

The proposed project, in combination with the other improvement projects described above, would not result in any adverse cumulative impacts. There are no other known projects that could result in similar impacts as the proposed project currently foreseen for the project area. For these reasons, the proposed project would not result in impacts that are individually limited, but cumulatively considerable.

4.18.3 Conclusion

The proposed project would not result in unavoidable or unmitigatable significant environmental impacts. **(Less Than Significant Impact with Mitigation Incorporated)**

[58] City of Cupertino. *Stevens Creek Corridor Park Master Plan and Restoration Plan Initial Study*. 2006.

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. California Department of Transportation. "California Scenic Highway Mapping System." 2010.
3. California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. *Santa Clara County Important Farmland 2008*. Map. 2009.
4. City of Cupertino. Zoning Ordinance. 2010.
5. Bay Area Air Quality Management District. *CEQA Air Quality Guidelines*. June 2010.
6. Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Plan*. 2010.
7. Thomas Reid Associates. *Biotic Reports for the Stevens Creek Corridor Park Master Plan*. April 2006.
8. City of Cupertino. Tree Ordinance. 2010
9. Basin Research Associates. *Cultural Resources Assessment for the Stevens Creek Corridor Park Master Plan and Restoration Plan*. 2006.
10. Association of Bay Area Governments (ABAG). "Geographic Information Systems, Hazard Maps | Alquist-Priolo Earthquake Fault Zones." Official Map of Alquist-Priolo Earthquake Fault Zones reproduced with permission from California Geological Survey. 2001.
11. City of Cupertino. *Stevens Creek Corridor Park Master Plan and Restoration Plan Initial Study*. 2006.
12. California Department of Conservation, Division of Mines and Geology. *Seismic Hazard Zones: Cupertino Quadrangle Official Map*. 2002.
13. County of Santa Clara. *Santa Clara County Geologic Hazard Zones* (Compressible Soil Hazard Zones, Landslide Hazard Zones, and Dike Failure Hazard Zones; and Liquefaction Hazard Zones). Map 18. 2002.
14. California Air Resources Board for the State of California. *Climate Change Proposed Scoping Plan Appendices, Volume I: Supporting Documents and Measure Detail*. October 2008. Page C-52.
15. Department of Toxic Substances, "Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)," http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm. California Integrated Waste Management Board, Solid Waste Information System (SWIS), http://www.calrecycle.ca.gov/SWFacilities/Directory/search.aspx. State Water Resources Control Board, Geotracker website, http://geotracker.swrcb.ca.gov/.
16. Balance Hydrologics, Inc. "MEMOScenic Circle Proposed Path Potential Flood Concerns Evaluation." October 2010.
17. Federal Emergency Management Agency. Flood Insurance Rate Map. Map Number 06085C0208H. May 18, 2009.
18. City of Cupertino. *General Plan 2000 – 2020*. 2005.
19. Santa Clara County. *Countywide Trails Master Plan Update* (1995) and *Uniform Interjurisdictional Trail Design, Use, and Management Guidelines* (1999).