

**ADDENDUM
TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
SANTA CLARA UNIVERSITY FIVE-YEAR MASTER PLAN PROJECT**

January 2019

1.1 PURPOSE OF THE ADDENDUM

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is certified and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine whether or not they affect the conclusions in the environmental document.

On July 27, 2016, the Santa Clara Planning Commission certified the *Santa Clara University Five-Year Master Plan Final Environmental Impact Report* (FEIR) (SCH No. 2015042076) and approved the Santa Clara University Five-Year Master Plan project. The FEIR analyzed the new campus Master Plan which included the following projects: 1) School of Law, 2) Science, Technology, Engineering, and Mathematics Center, 3) new residence halls, 4) replacement of the Cowell Center, 5) demolition of the Daly Science Center, and 6) renovation of the Benson Center.

In November 2017, the City approved an Addendum to the FEIR which addressed changes to the building footprint of the STEM Center project (resulting in a revised area of impact), as well as tenant improvements to five existing buildings (three within the main campus and two north of the main campus) to allow for relocation of classrooms and offices in the four buildings slated for demolition as part of the STEM Center project.

Since certification of the FEIR (as amended), changes to the 2017 project have been proposed, which are the subject of this Addendum. The purpose of this Addendum is to analyze the impacts which may result from the modified 2018 Santa Clara University Five-Year Master Plan project (see Section 2.0, *Description of the Proposed Changes to the Project*).

The CEQA Guidelines Section 15162 states that when an EIR has been certified or a Negative Declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determined, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due

to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete of the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15164 states that the Lead Agency or a Responsible Agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in 15162 (see above) calling for preparation of a subsequent EIR have occurred.

SECTION 2.0 DESCRIPTION OF THE PROPOSED CHANGES TO THE PROJECT

Section 2.1 describes the project as approved in 2017 and analyzed in the FEIR (as amended). Section 2.2 describes the proposed changes to the previously approved project.

2.1 SUMMARY OF THE APPROVED PROJECT

The previously approved project was a Master Plan which included six individual projects: 1) School of Law (currently under construction), 2) Science, Technology, Engineering, and Mathematics Center, 3) new residence halls, 4) replacement of the Cowell Center, 5) demolition of the Daly Science Center, and 6) renovation of the Benson Center.

The EIR analyzed the law school at a project level and the remaining projects at a programmatic level. The replacement of the Cowell Center is discussed in detail below.

2.1.1 Cowell Center

The 2017 project approved replacement of the Cowell Center. The existing Cowell Center is a one-story, 10,414 square foot building that was constructed in 1975 and provides health services to students. The facility is located south of Leavey Center, adjacent to the Tennis Center and in proximity to other sports facilities and student housing. As approved, the project would demolish the existing building and construct a two-story, 38,000 square foot building. Student Health Services would occupy this building along with indoor practice space for NCAA athletes and recreational sports.

2.2 PROPOSED CHANGES TO THE APPROVED PROJECT

The proposed changes to the approved project relate solely to replacement of the Cowell Center. No other component of the approved Master Plan is addressed under this Addendum.

As noted above, the approved 2017 project proposed that the Cowell Center would be replaced in its current location and increase in size to 38,000 square feet. The modified project would demolish the existing building and construct a 50,000 square foot building approximately 200 feet east of the current building. Existing services within the Cowell Center would relocate to other existing facilities and/or be installed at the new proposed facility. Nothing is proposed to be built in the location of the existing Cowell Center.

SECTION 3.0 ENVIRONMENTAL IMPACTS OF THE PROPOSED CHANGES TO THE PROJECT

The discussion below describes the environmental impacts of the modified project compared to the impacts of the previously approved project. Also noted are any changes that have occurred in the environmental setting that would result in new impacts or impacts of greater severity than those identified in the previously certified FEIR (as amended). This Addendum only addresses those resource areas that would be potentially affected by the proposed changes to the previously approved project.

The modified project includes construction of a new athletic facility approximately 200 feet east of the existing Cowell Center. The proposed athletic facility would be constructed in-lieu of replacement of the Cowell Center. The modified project would have the same impacts in regard to the following environmental issues:

- Agricultural and Forestry Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology
- Land Use
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation

This is because the overall development capacity and vehicle trips generated by the project would remain the same as the approved project evaluated in the FEIR (as amended). In addition, the new project location is only 200 feet from the approved project location, and land based issues such as hazards/hazardous materials and geology and soils would be the same.

This Addendum analyzes the impacts of the modified project in regards to the following environmental issues:

- Aesthetics
- Air Quality (Construction)
- Biological Resources
- Cultural Resources
- Noise (Construction)
- Utilities and Service Systems

3.1 AESTHETICS

The change to the 2017 project relevant to aesthetics is the proposed location of the athletic center.

3.1.1 Findings of the Previously Certified FEIR (As Amended)

The FEIR (as amended) concluded that redevelopment of the Cowell Center would have a less than significant impact on scenic vistas, designated scenic resources, and the visual character of the project area because the proposed project location is not in a pristine natural environment or a rural area; rather, it is in an established mixed-use, urban community. Furthermore, it is not visible from off-campus and would be consistent with the massing and architectural style of nearby University buildings. Replacement of the Cowell Center was also found to have a less than significant visual

intrusion and light/glare impact because of its location and because it would be required to undergo architectural and site design review by Planning staff and the City's Architectural Committee.

3.1.2 Aesthetics Impacts from the Modified Project

3.1.2.1 *Visual and Aesthetics Impacts*

As with all CEQA impacts, the aesthetic effects of a project must be considered in the physical context of the project site and they must be compared to the existing conditions. The project site is not proposed in a pristine natural environment or a rural area; rather, it is in an established mixed-use, urban community approximately 200 feet east of the approved project site.

The CEQA thresholds of significance, identified in Appendix G of the CEQA Guidelines, state that a project would have a significant visual impact if it would substantially affect a scenic vista, substantially damage scenic resources (including, but not limited to trees, rock outcroppings, historic buildings, or a state scenic highway), or substantially degrade the existing visual character or quality of a project site or the surrounding area as viewed from public right-of-ways. There are no City, County, or State designated scenic vistas, highways, or other scenic resources within the project area.

The project site is not currently visible from off campus. As proposed, the site would be developed with a 50,000 square foot, two-story athletic center. The proposed building, which would be larger than the approved building, would be visible from the interior of the campus and would also likely be visible from El Camino Real. In evaluating the significance of a CEQA impact, it is necessary to consider the degree to which the general public is impacted; not individuals or particular properties. The fact that a structure is visible does not, by itself, result in a visual impact. The modified project would alter the visual character of the project site compared to the existing conditions. The proposed building would place a new structure on a site currently developed with tennis courts and landscaping, but the building would be comparable in massing and scale to the nearby campus sports buildings and smaller than the nearby residence halls. The building would also be consistent in style to the existing University buildings. The modified project would not obscure any scenic vistas, damage scenic resources, or degrade the visual quality of the area. Therefore, the modified project would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.1.2.2 *Visual Intrusion*

Visual intrusion addresses the general concern that windows or balconies from taller buildings would provide visual access to neighboring yards and windows of private residences. The modified project is not located in proximity to private residences and, as a result, would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.1.2.3 *Light and Glare*

As with the approved project, the modified project would include outdoor security lighting along walkways and around the building comparable to lighting throughout the campus. The outside lighting would comply with the City's lighting requirements. Per the City's Community Design Guidelines, lighting on the project site would be directed away or shielded from nearby properties

and streets. Up-lighting would be minimized to avoid contributing to the overall illumination of the nighttime sky.

The site currently has 12 light poles to allow for nighttime use of the courts. The nearby soccer fields also have substantive field lighting. Replacement of the tennis courts with the proposed building would not create a substantial new source of light in the project area. Furthermore, the glazing on the building would be limited and the City would preclude the used of reflective building materials. Therefore, the modified project would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.2 AIR QUALITY

The change to the 2017 project relevant to air quality is construction impacts related to the new proposed location of the athletic center and operational impacts resulting from the proposed increase in building size.

3.2.1 Findings of the Previously Certified FEIR (As Amended)

3.2.1.1 *Construction Criteria Pollutant Emissions*

The FEIR (as amended) conservatively assumed that all projects under the Master Plan would be constructed at the same time and averaged the results over a five-year period, consistent with guidance provided by the Bay Area Air Quality Management District (BAAQMD). Total criteria pollutant emissions were found to be well below BAAQMD thresholds and would not result in a significant impact.

3.2.1.2 *Dust Emissions*

Construction activities on-site would generate dust and other particulate matter that could temporarily impact nearby sensitive receptors. The amount of dust generated would be highly variable and dependent on the size of the area disturbed at any given time, the amount of activity, soil conditions, and meteorological conditions. As a result, all construction activities associated with the Master Plan would be required to implement BAAQMD dust control measures as a condition of project approval.

3.2.1.3 *Toxic Air Contaminants*

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust which is a known toxic air contaminant (TAC). The nearest sensitive receptors to the modified project site are the residence halls to the southwest.

A health risk assessment of all construction activities was completed to evaluate emissions of diesel particulate matter (DPM) and associated health risks to nearby sensitive receptors. The project was

found to have a less than significant TAC impact on nearby adult sensitive receptors and no mitigation for adult receptors was required.¹

3.2.2 Construction Air Quality Impacts from the Modified Project

Construction of the athletic facility was generally accounted for in the emissions analysis in the FEIR (as amended). The modified project would be approximately 12,000 square feet larger than the approved Cowell Center replacement facility. Nevertheless, criteria pollutant and TAC construction emissions were calculated for the entire Master Plan and were found to be well below the establishing thresholds. Criteria pollutant emissions for the Master Plan are shown in Table 3.2-1 below.

Table 3.2-1: Average Daily Construction Emissions from the Project				
Description	ROG	NOx	PM₁₀	PM_{2.5}
Total Emissions (tons)	6.48 tons	22.48 tons	1.08 tons	1.01 tons
Average Daily Emissions (pounds per day – based on 1,300 work days)	10.0 lbs	34.6 lbs	1.7 lbs	1.6 lbs
BAAQMD Thresholds (pounds per day)	54	54	82	54

The maximum incremental adult cancer risk from TAC emissions was calculated to be 0.8 cancer cases per million, which is below the BAAQMD threshold of 10 cancer cases per million.

The proposed increase in building size would not generate substantive emissions and the modified project, by itself, would not generate construction emissions in excess of established thresholds.

Construction of the modified project would, however, temporarily increase dust in the immediate area. Consistent with the approved project, the modified project would be required to implement the following dust control measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. Vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used.

¹ The project did identify a temporary TAC impact to an off-site daycare center, and mitigation measures were proposed to reduce the impact to a less than significant level. The daycare center is not within the area of impact for the modified project and will not be discussed further.

6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Compliance with these measures would reduce the adverse effects of the dust on the sensitive receptors in the vicinity of the project site.

The modified project would result in additional ground disturbing activities compared to the approved project due to the larger building footprint. Nevertheless, with the best management practices listed above, the increase in dust and construction emissions would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.3 BIOLOGICAL RESOURCES

The change to the 2017 project relevant to biological resources is the area of impact as the location of the project has changed.

3.3.1 Findings of the Previously Certified FEIR (As Amended)

3.3.1.1 *Trees*

Implementation of the Master Plan would result in the loss of up to 299 trees on-site. Of the 299 trees to be removed, 107 trees are classified as protected by the City due to their size or species. The approved project is required as a condition of project approval to plant a minimum of 598 trees to offset the loss of the trees to be removed as a result of the project. Because the project has to comply with the City's tree replacement policy, the loss of trees on-site was found to be less than significant.

3.3.1.2 *Nesting Raptors and Migratory Birds*

While the project site is located within an urban environment, the FEIR (as amended) concluded that mature trees on-site and on the adjacent properties could provide nesting and/or foraging habitat for raptors and migratory birds. Therefore, implementation of the Master Plan may result in loss of fertile eggs or nestlings or lead to nest abandonment. Mitigation measures were identified to reduce the impact to a less than significant level.

3.3.2 Biological Impacts from the Modified Project

The area of impact for the modified project consists of 19 trees, as shown in Table 3.3-1.

Tree No.	Common Name	Circumference (in.)	Diameter (in.)
1	Crape myrtle	13.5	4.3
2	Crape myrtle	8.0	2.5
3	Crape myrtle	12.0	3.8
4	Crape myrtle	12.0	3.8
5	Crape myrtle	18.5	5.9
6	Crape myrtle	17.0	5.4
7	Crape myrtle	18.0	5.7
8	Crape myrtle	19.0	6.0
9	Southern magnolia	37.5	11.9
10	Southern magnolia	30.0	9.5
11	Southern magnolia	37.0	11.8
12	Southern magnolia	22.5	7.2
13	Crape myrtle	27.5	8.8
14	Crape myrtle	22.0	7.0
15	Crape myrtle	25.0	8.0
16	Southern magnolia	36.0	11.5
17	Southern magnolia	34.5	11.0
18	Southern magnolia	35.5	11.3
19	Southern magnolia	33.0	10.5

The modified project would construct the athletic facility approximately 200 feet east of the location considered in the FEIR (as amended). The land around the existing Cowell Center has substantially more trees than the modified project location. While the modified project would still result in the loss trees and potentially impact nesting raptors and other migratory birds, the degree to which these resources would be impacted would be less.

The City’s General Plan (Policy 5.3.1-P10) requires new development to include new street trees and at least a 2:1 on- or off-site replacement for removal of existing trees. Consistent with City policy and the conditions of approval for the approved project, the modified project would be required to plant a minimum of 38 trees. Any trees removed or damaged at the existing Cowell Center during demolition of the building would also be replaced consistent with City policy. This would offset the loss of the trees resulting from the project. The project would also be required to implement mitigation measures BIO-1.1 and BIO-1.2 from the FEIR (as amended) to reduce impacts to nesting raptors and other migratory birds.

Because the project would be required to comply with the previously identified mitigation measures and the City’s tree replacement policy, construction activities and the loss of trees on-site would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.4 CULTURAL RESOURCES

The following discussion of the modified project is based on a Cultural Resources Assessment prepared by *Albion Environmental* in July 2018. The Cultural Resources Assessment is on file at the Santa Clara Community Development Department.

The change to the 2017 project relevant to cultural resources is the area of impact as it relates to known and unknown subsurface cultural resources. The proposed athletic facility would be approximately 200 feet east of the area of impact then assumed in the FEIR. There are no buildings on the project site and, as a result, as historic structures are not discussed further.

3.4.1 Findings of the Previously Certified FEIR (As Amended)

3.4.1.1 *Subsurface Prehistoric and Historic Resources*

The Cowell Center site is known to contain subsurface historic and likely prehistoric artifacts associated with the Santa Clara Mission, post-Mission development, and prehistoric settlements in this area. Mission Period and Early American Period artifacts have been found near the development site. There is also the possibility that prehistoric site CA-SCL-755 and/or historic site CA-SCL-30/H may extend onto the site. Prehistoric and historic resources directly associated with occupation of the project area and development on the project site could provide valuable information on critical time periods in Santa Clara's history.

The analysis concluded that development on this site could result in the exposure or destruction of as yet unrecorded subsurface prehistoric and historic archaeological artifacts and possibly human remains.

The FEIR (as amended) concluded that with implementation of an approved Cultural Resources Treatment Plan prior to construction on the development site, the approved Master Plan would have a less than significant impact on known and unknown subsurface resources.

3.4.1.2 *Paleontological Resources*

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. Geologic units of Holocene age are generally not considered sensitive for paleontological resources, because biological remains younger than 10,000 years are not usually considered fossils. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. These recent sediments, however, may overlie older Pleistocene sediments with high potential to contain paleontological resources. These older sediments, often found at depths of greater than 10 feet below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. The analysis concluded that it is very unlikely that paleontological resources would be discovered on-site due to the distance of the site from the Bay and because no paleontological resources have been discovered in this area of Santa Clara.

The FEIR (as amended) concluded that the approved project would have no impact on paleontological resources.

3.4.2 Cultural Resources Impacts from the Modified Project

3.4.2.1 *Existing Conditions*

Prehistoric Resources

Overview

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 1,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range between 3000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay south through the Santa Clara Valley and down to Monterey and San Juan Bautista.

The Ohlone lived in small villages referred to as tribelets. Each tribelet occupied a permanent primary habitation site and also had smaller resource procurement camps. The Ohlone, who were hunter/gatherers, traveled between their various village sites to take advantage of seasonal food resources (both plants and animals). During winter months, tribelets would merge to share food stores and engage in ceremonial activities. The project area is within the Ohlone's territory.

Alameda Native American Burial Site (CA-SCL-755)

The Alameda Native American burial site is a prehistoric internment site that was originally discovered in the 1920s. Discoveries on this site included 69 Native American burials and associated artifacts. To date, the site's exact boundaries have not been definitively determined but the nearest known burial to the project site is approximately 1,190 feet.

Historic Subsurface Resources

Mission Period

Spanish explorers began coming to Santa Clara Valley in 1769. From 1769 to 1776 several expeditions were made to the area during which time the explorers encountered the Native American tribes who had occupied the area since prehistoric times. Expeditions in the Bay Area and throughout California lead to the establishment of the California Missions. The founding of the Missions began the attempted assimilation of the area's indigenous inhabitants into the culture of the new European settlers.

The first Mission Santa Clara was founded in 1777 near what is today the Kifer Road/De La Cruz Boulevard intersection. The first Mission was destroyed by flooding of the Guadalupe River in 1779 and a temporary second Mission Santa Clara was constructed near the present day Martin Avenue/De La Cruz Boulevard intersection while a new permanent location for the Mission was sought.

The third Mission Santa Clara was constructed in 1781 on what is now the Santa Clara University campus. The third site proved to be a suitable location and the Mission remained at this site until it was damaged by an earthquake in 1818. A temporary church (the fourth Mission) was constructed near the present day Kenna Hall. In 1822, the fifth and final Mission church was constructed. With construction of the third Mission, the Mission settlement at the University continually expanded until 1834, when the new Mexican government began to secularize the mission lands.

Third Mission Santa Clara (CA-SCL-30/H)

The third Mission Church, located near the entrance of the University, and associated cemetery are considered an archaeological preserve. Burials, adobe foundations, beads, tiles, and other artifacts related to the Mission have been discovered. It is known that the Mission included the church, an orchard, irrigation canal, slaughter yard, tanning vats, the cemetery, and housing for both the settlers and neophyte residents. The third mission site has been estimated to be approximately 90 acres in size and is approximately 533 feet from the project site.

Post-Mission and American Period

Mission Santa Clara was officially secularized in 1836, at which time the Native American population in the immediate area was just over 300 persons. At this time, the lands around the Mission began to be transformed into residential lands with some small farms. American settlers began arriving in Santa Clara as early as 1841 and the Native Americans were forced to adapt or relocate. By 1845, the former neophyte population of the area was only 130 persons. By 1850 (the year California officially achieved statehood), settlers dominated the project area and the remaining Native American population was, for the most part, living and working on nearby rancherias or at the Inigo reservation.

The Jesuit College of Santa Clara was established within the fifth Mission church and quadrangle in 1851 and the Town of Santa Clara was officially incorporated in 1852. The establishment of the college influenced the development of the surrounding area. Development on what is now the campus historically included adobe buildings, turn-of-the-century single-family residences, and various businesses including the Eberhard Tannery. From the initial founding of the University to the present day, the campus has expanded in every direction, becoming a unified campus with the rerouting of El Camino Real in 1989.

Six American period resources have been identified within one-eighth of a mile of the project site.

3.4.2.2 *Subsurface Prehistoric and Historic Resources Impacts*

Based on previous studies and historic maps, the project site has a low probability for Spanish/Mexican period resources and a moderate potential for precolonial and historic resources. There is also a moderate probability for the project site to contain prehistoric resources. As a result, development of the athletic center could result in the exposure or destruction of as yet unrecorded subsurface archaeological artifacts.

Consistent with the Master Plan FEIR (as amended), the following conditions of project approval will be required during construction to avoid impacts to subsurface cultural resources:

- City policy requires that within areas of the City deemed to have the potential to contain subsurface archaeological resources, the City may require that an applicant retain the services of a qualified archaeologist to monitor earth-moving activities. Since the project site is in an archaeologically sensitive area, the proposed project will be subject to the requirements of this policy, as described below.
 - Monitoring shall consist of coordinating subsurface work to allow for the careful examination of vertical and horizontal soil relationships for the purpose of seeking positive archaeological finds (prehistoric and/or historic). The monitor must maintain

a field log of their presence and observations, carefully noting soil conditions. The archaeological monitor must be pre-approved by the Director of Community Development. After written approval, the Planning Division must be notified at least 48 hours prior to any grading or other subsurface work on the site and the applicant must provide a written protocol which stipulates the manner in which the applicant shall comply with the monitoring requirements. In the event that cultural resources are encountered, all work within proximity of the find shall temporarily halt so that the archaeologist can examine the find and document its provenience and nature (drawings, photographs, written description). The archaeological monitor will then direct the work to either proceed if the find is deemed to be insignificant, or instruct the work to continue elsewhere or cease until adequate mitigation measures are adopted.

- In the event that cultural resources are encountered and determined to be significant, a site-specific cultural resources treatment plan be prepared and approved by the Director of Community Development prior to issuance of any building permits. The treatment plan will tier off the *Master Cultural Resources Treatment Plan for the Santa Clara University 2020 Plan* (July 2015) and will conform to all requirements outlined in the *Master Cultural Resources Treatment Plan*. Specific elements of the treatment plans are outlined below.

Investigation – Resource Identification

- A combined program of archaeological investigation (testing and data recovery) will focus on the proposed area of disturbance on the project sites. Because construction of the project is currently expected to occur over five years, the archaeological investigations will be phased to fit the project schedule. Specific activities include:
 - Identification of archaeological resources through mechanical area exposure. A trained archaeological monitor will direct mechanical excavation of select regions within the project site area. Depending on the sensitivity of each site, some projects will require excavation of the entire site and some will require excavation of only certain areas. This step will occur after demolition, but before construction grading.
 - Upon identification of a feature, removal of overburden using hand excavation techniques.
 - Archaeological investigation of areas exposed.
 - Identification of resources for data recovery.
- Archaeological investigation will include the following guidelines and actions:
 - Archaeologists will direct the stripping away of asphalt, base rock, fill, disturbed soils, and modern intrusions to expose historic ground surfaces in areas that will be disturbed during project construction. This will help determine the kinds and number of archaeological resources present.

- Archaeologists will investigate features to determine their potential significance. In consultation with the SCU Assistant Campus Archaeologist and Operations staff, decisions will be made about which features will be subject to archaeological data recovery.
- Determination of significance of historic archaeological property types is tied directly to their historical context and relevance to research themes further discussed below. Usefulness of a property type (feature) with regard to relevant research themes determines the legal importance of that resource. Also germane to the importance of property types are assessments of integrity, land use history, and comparison with other known similar property types. Especially relevant here are issues that cannot be addressed using data from other sources. The purpose of identifying relevant research themes is to help predict areas of special concern, given expected property types. Determination of relevance to research themes is critical to the identification of significant features in the field.
- If data recovery is determined to be appropriate, excavation will target recovery of an appropriate amount of information from archaeological deposits to determine potential of the resource to address specific research questions. If it occurs, data recovery will emphasize understanding of the archaeological deposit's structure, including features and stratification, horizontal and vertical extent, and content including the nature and quantity of artifacts.

Reporting

- The findings reports will follow the outline below and will focus on particular finds encountered during the excavation. All reports will at a minimum meet the *Secretary of the Interior's Standards for Archaeological Documentation*. The report will be submitted to the applicant and all reviewing agencies, and will ultimately be filed with the Northwest Information Center at Sonoma State University.

The technical report on project results may address the following elements:

- executive summary;
- statement of scope, including project location and setting;
- background contexts or summaries;
- summary of previous research, historical and archaeological;
- research goals and themes;
- field and laboratory methodologies;
- descriptions of recovered materials;
- findings and interpretations, referencing research goals;
- conclusions;
- references cited; and
- appendices such as artifact catalogs, special studies, and other information relevant to the project and findings.

Discovery of Human Remains

- Procedures for the treatment of human remains are well defined in various California laws and codes. The Heritage Commission acts as a central point of contact for notification of Native Americans, and arbitration between the Native American representative and the property owner (who is also the owner of the remains) and any associated archaeological materials. These procedures are set forth in the California Public Resources Code 5097.9, specifically 5097.98 *Notification of discovery of Native American human remains, descendants, disposition of human remains and associated grave goods*. NAHC guidelines have changed over time and SCU will follow NAHC recommendations and Public Resource Codes current at the time of the discovery.

Discovery. When human remains are discovered (in either an archaeological or construction context), SCU will notify the Santa Clara County Coroner who will determine if the remains are or are suspected to be of Native American origin (cf. Section 7050.5c of the Health and Safety Code). This is often done in consultation with the archaeological investigator or on occasion in consultation with a forensic or physical anthropologist. If this determination is made, the Coroner will notify the Heritage Commission.

Notification of Most Likely Descendent (MLD). The Heritage Commission will notify those persons it believes are most likely descended from the deceased Native American. This is usually a single individual although for a number of reasons, the Heritage Commission may assign more than one MLD. The MLD will likely be on the original consultation list; however, this is not always the case, as some individuals have removed themselves from the general consultation list due to the number of requests for comments.

Inspection and Recommendations. The MLD will have 48 hours to inspect the finds and make recommendations to the University regarding the disposition of the remains. If the MLD fails to make a recommendation or the MLD and the University fail to come to an agreement (with mediation provided by the NAHC) the University will respectfully reinter the remains and associated artifacts in a safe place on University property.

- Upon completion of all field work, but before completion of the Findings Report (outlined above), a preliminary report outlining the data recovery work on the site shall be submitted to the Director of Community Development for review and approval prior to the issuance of building permits for the site.

With implementation of the treatment plan, consistent with the mitigation requirements of the FEIR (as amended), the modified project would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.5 NOISE

The change to the 2017 project relevant to noise is the proximity of the proposed project site relative to sensitive receptors that could be impacted during construction. The proposed athletic facility would be approximately 200 feet east of the project site assumed in the FEIR (as amended).

3.5.1 Findings of the Previously Certified FEIR (As Amended)

3.5.1.1 *Construction Noise Impacts*

The FEIR (as amended) did not identify a construction noise impact from replacement of the Cowell Center on the student residences south of the facility. While reconstruction of the Cowell Center would have a less than significant noise impact, all projects under the proposed Master Plan must comply with applicable code requirements and best management practices as outlined below.

- Ensure that construction activities within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines is strictly prohibited.
- Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 5 dBA.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

The FEIR (as amended) concluded that with compliance with City Code requirements and identified best management practices, construction activities would have a less than significant construction noise impact.

3.5.2 Construction Noise Impacts from the Modified Project

Construction noise from the athletic center was accounted for in the noise analysis in the FEIR (as amended) and would be addressed through the identified best management practices and conditions of approval as required by the approved project (as listed above).

The modified project would not result in additional construction noise and would not result in a new significant impact or an impact of greater severity compared to the approved project.

3.6 UTILITIES AND SERVICE SYSTEMS

The change to the 2017 project relevant to utilities and service systems is the increase in size of the modified project relative to the new Cowell Center.

3.6.1 Findings of the Previously Certified FEIR (As Amended)

3.6.1.1 *Water Service Impacts*

Based on the WSA prepared by the City, the FEIR (as amended) estimated that full build out of the Master Plan would result in a water use on-site of 53,925 gpd. The analysis did not account for the proposed demolition of existing buildings or the use of recycled water (which is already utilized on campus) and, therefore, overstates the net increase in water usage.

The City has determined that the level of development allowed under the Master Plan and the projected increase in water demand is consistent with the growth projections and future water demand assumed in the preparation and analysis of the City's 2011 Urban Water Management Plan (UWMP). The City's 2011 UWMP concluded that sufficient water supplies are available to meet the project demand. As such, there is sufficient water supply to serve the project site under normal water year (non-drought) conditions.

In addition to normal water years, the WSA and UWMP assessed the ability of Santa Clara to meet forecasted water demands (including the project) during multiple dry weather (drought) years. The City concluded that with projected supply totals and implementation of conservation measures consistent with its Water Shortage Contingency Plan, the retailer would be able to meet projected demand during multiple dry water years.

The FEIR (as amended) concluded that the Master Plan would not have a significant impact on existing and future water supplies.

3.6.1.2 *Wastewater/Sanitary Sewer System Impacts*

The FEIR (as amended) concluded that the new buildings and building additions under the Master Plan would generate approximately 53,925 gpd of wastewater. The student housing and expansion of student dining and fitness services accounted for most of the increase. City staff concluded that no capacity improvements were required to the existing sanitary sewer lines to support the project.

The wastewater treatment plant has the capacity to treat 167 million gallons of wastewater a day. The FEIR (as amended) found that the treatment plant operates under a 120 million gpd dry weather effluent flow constraint. The project would result in a net increase in wastewater generation on the project site, but would not increase the need for wastewater treatment beyond the capacity of the treatment plant. The FEIR (as amended) concluded that the treatment plant would still operate below the required 120 mgd constraint and has the ability to treat wastewater generated by the project.

3.6.1.3 *Storm Drainage Impacts*

The FEIR (as amended) concluded that full build out of the Master Plan would reduce the percentage of impervious surfaces on-site by approximately one percent. As a result, the amount of stormwater runoff would not increase. Under the 2017 project conditions, the storm drainage system had sufficient capacity to convey runoff from the site. The one percent net reduction in impervious surface area on-site would ensure that runoff from the project site would be less than existing conditions and the project would not, therefore, exceed the capacity of the local drainage system.

3.6.1.4 *Solid Waste Impacts*

At full build out, the increase in campus housing and classrooms under the Master Plan would result in an approximately 2,198 pound per day (ppd) net increase in solid waste generation. This increase represents less than one-tenth of one percent of the maximum daily intake allowed at the landfill.

The Newby Island Landfill, located in San José, has an agreement with the City to provide disposal capacity through 2024. The City of San José approved expansion of Newby Island Landfill and could continue to provide disposal capacity to Santa Clara beyond 2024. In addition, the City is working to meet its waste diversion goal of 50 percent. Increased recycling would extend the useful life of the landfill. Therefore, the FEIR (as amended) concluded that implementation of the Master Plan would not result in a significant increase in solid waste and recyclable materials generated within the City of Santa Clara and would not require that new landfill facilities be contracted with or constructed to serve the project.

3.6.2 *Utilities Impacts from the Modified Project*

3.6.2.1 *Water Services Impacts*

The modified project would generate a water demand of approximately 12,000 gallons per day (gpd).² A comparison of the water demand between the existing Cowell Center, the approved Cowell Center replacement facility, and the modified project are shown in Table 3.6-1 below.

² Personal Communication. Don Akerland, Director Planning and Projects, University Operations. Email dated 9.10.18.

Table 3.6-1: Comparison of Water Demand Between Projects	
Scenario	Water Demand
Existing Cowell Center (10,414 square feet)	2,497 gpd
Approved Cowell Center replacement facility (38,000 square feet)	9,135 gpd
Proposed athletic center (50,000 square feet)	12,000 gpd

As with the approved project, the modified project is consistent with the land use assumptions in the City’s most recent Urban Water Management Plan, but would be an increase over the total water usage assumed for the University campus. The increased water use from the athletic center represents less than one-tenth of a percent of the total daily water usage in the City. Furthermore, the estimated water usage does not account for the use of recycled water (which is already utilized on campus) and, therefore, overstates the net increase in water usage. As a result, the increase in water usage on-site relative to citywide demand would be negligible.

The increase in water usage would not exceed the capacity of Santa Clara Water Utility to provide water services to the project site, and new or expanded water entitlements or facilities are not needed. As a result, the modified project would not result in a new significant water supply impact or an impact of greater severity compared to the approved project.

3.6.2.2 Wastewater/Sanitary Sewer System Impacts

Wastewater Treatment Requirements

Sewage generated by the modified project would be treated at the wastewater treatment plant in accordance with the existing NPDES permit, which is in compliance with specified waste discharge requirements. The minimal increase the sewage generated by the modified project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board. As a result, the modified project would not result in a new significant wastewater treatment impact or an impact of greater severity compared to the approved project.

Wastewater Treatment/Sanitary Sewer Facilities

City staff previously determined that no capacity improvements would be required to support full build out of the Master Plan. The additional wastewater generated by the modified project would not be sufficient to require capacity enhancing improvements to the existing sanitary sewer lines that serve the campus.

Because the project would not require the construction of new or expanded wastewater treatment facilities or infrastructure, the modified project would not result in a new significant wastewater facility impact or an impact of greater severity compared to the approved project.

3.6.2.3 Storm Drainage Impacts

Under approved project conditions, the storm drainage system has sufficient capacity to convey runoff from the site. The modified project would result in an approximately 11,814 square foot increase in impervious surface area on the construction site (assuming construction removes all landscaping). The demolition of the Cowell Center would result in an approximately 10,414 square

foot increase in pervious surface area on the old Cowell Center site.³ The modified project would, therefore, result in a 1,400 square foot net increase in impervious surfaces on-site.

Under the approved project, the Master Plan would result in an approximately 23,243 square foot net decrease of impervious surface area. Therefore, a 1,400 square foot increase in impervious surface area would not substantially increase stormwater runoff or exceed the capacity of the existing drainage system. In addition, consistent with the approved project, the increase in stormwater runoff would be minimized through implementation of stormwater treatment and control measures in compliance with the general stormwater permit. Therefore, the modified project would not result in a new significant storm drainage impact or an impact of greater severity compared to the approved project.

3.6.2.4 *Solid Waste Impacts*

The modified project would generate approximately 350 pounds of solid waste per day, which is approximately 84 pounds per day more than was estimated for the reconstructed Cowell Center in the approved project.⁴ The minimal increase in solid waste generate by the modified project would not require that new landfill facilities be contracted with or constructed to serve the project. Therefore, the modified project would not result in a new significant solid waste impact or an impact of greater severity compared to the approved project.

³ Based on the total square footage of the existing one-story structure.

⁴ The project's solid waste generation is based on a solid waste generation rate of 0.007 pounds per square foot per day for public/institutions. Website: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> Accessed September 11, 2018.

SECTION 4.0 CONCLUSION

Based on the above analysis and discussion, no substantive revisions are needed to the 2016 *Santa Clara University Five-Year Master Plan FEIR* (as amended), because no new significant impacts or impacts of substantially greater severity would result from the modified project. There have been no changes in circumstance in the project area that would result in new significant environmental impacts or substantially more severe impacts, and no new information has come to light that would indicate the potential for new significant impacts or substantially more severe impacts than were discussed in the 2016 FEIR (as amended). Therefore, no further evaluation is required, and no Subsequent EIR is needed pursuant to State CEQA Guidelines Section 15162, and an EIR Addendum has therefore appropriately been prepared, pursuant to Section 15164.

Pursuant to CEQA Guidelines Section 15164(c), this Addendum need not be circulated for public review, but will be included in the public record file for the *Santa Clara University Five-Year Master Plan FEIR*.

Andrew Crabtree
Director of Community Development

Signature

Date