

Draft Environmental Impact Report

(State Clearinghouse No. 2015062026)

WHAT: The Santa Clara Valley Water District (District) proposes to construct and operate improvements to Lower Penitencia Creek from the Coyote Creek confluence to just upstream of the San Andreas Drive bridge located in the City of Milpitas, CA. The proposed improvements would convey the future increased 1% flows from Berryessa Creek, which discharges to Lower Penitencia Creek at the upstream project terminus without overtopping of Lower Penitencia Creek banks. Berryessa creek is being enlarged by the Lower Berryessa Creek Flood Protection Project under construction by the District and the Upper Berryessa creek flood Risk Management Project, under construction by the U.S. Corps of Engineers. The proposed project would extend 1% flood protection downstream to the Coyote Creek/Lower Penitencia Creek confluence. The proposed project would meet the following specific objectives:

- Convey the Lower Berryessa Creek 1-percent design flow;
- Meet required water surface elevations at the confluences of Lower Penitencia Creek with Coyote Creek and Berryessa Creek;
- Minimize the need for seasonal removal of sediment and non-woody vegetation;
- Maintain existing Federal Emergency Management Agency (FEMA) accreditation of the east levee located between California Circle and Berryessa Creek; and
- Ensure the project improvements meet FEMA certification requirements.

WHY: Pursuant to the California Environmental Quality Act, the District, as the lead agency for the Project, has prepared a Draft Environmental Impact Report (DEIR) to evaluate environmental impacts of the Project.

The following resource topics were eliminated from further analysis in the DEIR as having no potential for environmental impacts: agriculture and forestry resources, mineral resources, population and housing, and public services.

The DEIR found that the the proposed project would have less than significant impacts in the following topic areas: aesthetics, cultural resources, greenhouse gas emissions, hydrology and water quality, utilities and service systems, land use and planning, and recreation and utilities and service systems. The proposed project would result in significant impacts in the following topic areas, but these impacts can be reduced to less than significant levels through application of feasible mitigation measures identified in the Draft EIR: air quality; biological resources, geology, soils and seismicity; hazards and hazardous materials; traffic and transportation.

The proposed project would result in significant and unavoidable impacts, listed below, in the areas of noise and vibration:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or, in the applicable standards of other agencies (Impact NOI-1)
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (Impact NOI-2)
- Substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (Impact NOI-4).

The proposed project in conjunction with other past, present, and reasonably foreseeable projects occurring in the project area and vicinity would result in significant cumulative impacts in the following topic areas: air quality, biological resources, hydrology and water quality, noise and vibration, and transportation and traffic. The proposed project would make a cumulatively considerable contribution to significant cumulative noise impacts.

PUBLIC REVIEW: The DEIR and all related documents can be reviewed on any District business day between the hours of 7:30 a.m. and 5:00 p.m., Monday through Friday, at the District's headquarters building, located at 5750 Almaden Expressway, San Jose, CA 95118. A copy of the DEIR will also be available at the Milpitas Library (160 North Main Street, Milpitas, CA 95035) and at the Milpitas City Hall (455 East Calaveras Boulevard, Milpitas, CA 95035). In addition, the District has posted an electronic version of the Draft EIR to the following web page:

<http://www.valleywater.org/PublicReviewDocuments.aspx>.

The public comment period on the Draft EIR begins on **Thursday, May 18, 2017** and closes at 5 p.m. on **Monday, July 3, 2017**.

PUBLIC MEETING: In conjunction with the public review, the Water District will also conduct a public meeting to discuss the Project and the DEIR on **Monday, May 22, 2017** at **6:30 p.m.**, at the **Joseph Weller Elementary School**, located at 345 Boulder Street in **Milpitas** (Multi-purpose room).

CONTACT: Comments on the Draft EIR should be submitted via mail or electronically, by **5 p.m. on Monday, July 3, 2017** to:

Santa Clara Valley Water District
Attention: Michael F. Coleman, AICP
Environmental Planner
5750 Almaden Expressway
San Jose, CA 95118

For further information please contact **Michael F. Coleman** at **(408) 630-3096**, or by email at **MColeman@valleywater.org**.