Chapter 3
ENVIRONMENTAL SETTING AND IMPACT ANALYSIS

3.0 Introduction

3.0.1 Introduction to the Environmental Setting and Impact Analysis

Chapter 3, *Environmental Setting and Impact Analysis* of this DSEIR contains thirteen sections that describe the environmental resources and potential environmental impacts of the Proposed Project. Each one (Sections 3.1 through 3.13) contains the following information about its resource topic:

- a description of the environmental setting as well as background information about the resource topic, to help the reader understand the resources that could be affected by the Proposed Project;
- any regulations that may govern activities affecting the resource;
- a discussion of the criteria and thresholds used in determining the significance of the Proposed Project's environmental impacts;
- a discussion of the impacts of the Proposed Project on the resource, including the significance of each impact; and
- mitigation measures, including best management practices that would allow SCVWD to avoid, minimize, or compensate for any significant impacts.

This EIR has been prepared as a Subsequent EIR. Since the certification of the SMP Final EIR in 2002, substantial changes have been proposed to the SMP, and new information of substantial importance has developed. The project changes, changed circumstances, and new information have the potential to involve new or worsened significant environmental effects not evaluated in the 2002 SMP EIR. Under these circumstances, CEQA (Public Resources Code Sec. 21666) and the CEQA Guidelines (Sec. 15162) require that a Subsequent EIR be prepared.

Normally, when a Subsequent EIR is prepared, the environmental setting and baseline include the environmental impacts disclosed in the original EIR, and the Subsequent EIR discloses any additional impacts caused by project changes, changes in circumstances, or new information. Due to the extensive nature of the proposed changes to the existing SMP, it would have been technically very difficult to segregate the environmental effects of the proposed changes from the effects of the existing SMP, and to use a baseline of post-project environmental conditions through 2020 as disclosed in the 2002 SMP EIR.

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Therefore, the project description for the SMP Update is comprehensive, and includes activities under both the existing SMP and the proposed changes to the SMP. This SEIR uses existing conditions at the time of the Notice of Preparation as the environmental setting and baseline, and analyzes the 2012-2020 impacts of the comprehensive SMP Update against this baseline. This conservative approach to the Subsequent EIR baseline and impact analysis scope represents an exception to established District CEQA practice due to the unique nature of the proposed SMP changes. It will not necessarily be employed in future District Subsequent EIRs for other projects in the absence of similar unique circumstances.

3.0.2 Sections Eliminated from Further Analysis

Four CEQA checklist resource areas have been eliminated from further analysis. Based on the nature and scope of Proposed Project activities, either no potential exists for significant impacts to these resources or they have been dismissed because the impacts associated with the topic have been addressed in other sections. A brief summary of the excluded resources is presented next. Also of note, two resource topics from the checklist are combined; public services and utilities, and service systems are discussed in Section 3.10, *Public Services and Utilities*.

Agricultural Resources

The Project Area covers a large portion of Santa Clara County (Figure 2-1), which contains a significant amount of land in agricultural uses. However, no activities under the Proposed Project would have an effect on these lands. Farmland and agricultural uses may be located near SMP Update maintenance sites; however, all Proposed Project activities would take place within flood protection channels and canals maintained by the SCVWD. These facilities do not contain lands designated or used for agriculture. In addition, these activities would be limited to maintenance and repair, and would not result in more intensive land development. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or lands under a Williamson Act contract would be converted under Proposed Project activities.

Geology and Soils

The Proposed Project would involve limited construction of permanent structures (e.g., culvert replacement), which could be subject to earthquake-related hazards, unstable soils, expansive soils, or other geotechnical hazards. However, these facilities would be designed to meet appropriate professional standards to avoid such hazards and, as a result, no significant impacts are anticipated to result. The Proposed Project does include some activities that have a potential to lead to topsoil erosion; erosion and siltation are addressed in Section 3.13, *Water Quality*. Furthermore, the Proposed Project would not involve the construction of any housing units requiring the use of septic tanks or other wastewater disposal systems.

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Mineral Resources

Proposed Project activities would have no impact on the availability or use of a known, valuable mineral resource in Santa Clara County.

The Project Area includes a variety of streams, channels, and canals, used for flood protection. No aggregate mining facilities are currently operating within SCVWD-maintained facilities. Although mines or mineral resource areas may be located near Proposed Project work sites, none of these activities could directly affect those mineral production sites.

Sediment excavated under the SMP may be reused, with potential to offset demand for mineral resources such as aggregate. However, the total volume of dredged material created under the Proposed Project in any given year would be small (averaging approximately 46,500 cubic yards), and the amount available for reuse would be a fraction of this amount. This would not represent an appreciable fraction of the total aggregate resources used annually in the County.

Population and Housing

The Proposed Project does not involve the construction of permanent structures such as housing and employment centers, nor would it involve the creation of any new infrastructure. It only involves maintaining existing infrastructure. Thus, the Proposed Project would not induce growth either directly or indirectly. The Proposed Project would not displace any existing housing units or persons, as no habitable structures exist within the stream reaches where maintenance would occur.