

ADDENDUM TO THE MILPITAS GENERAL PLAN 2040 EIR FOR THE Milpitas Climate Action Plan Update



Prepared for:



City of Milpitas

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Addendum to the Milpitas General Plan 2040 EIR for the Milpitas Climate Action Plan Update

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ADDENDUM TO THE MILPITAS GENERAL PLAN UPDATE ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF MILPITAS CLIMATE ACTION PLAN UPDATE

State Clearinghouse Number 2020070348

BACKGROUND AND ACTION TRIGGERING THE ADDENDUM

This document serves as an addendum to the Final Environmental Impact Report for the City of Milpitas's General Plan Update (General Plan 2040 EIR). The General Plan 2040 EIR is a program EIR that considers the environmental effects of implementing the General Plan through the 20-year planning horizon. Among the proposed policies and actions evaluated in the General Plan 2040 EIR, Action CON-1a required the City to update the City's Climate Action Plan (CAP) to achieve the greenhouse gas (GHG) reduction targets for 2030 and 2050. This update to the CAP has been prepared and was released for public review in May of 2022.

As the lead agency under the California Environmental Quality Act (CEQA), the City of Milpitas has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the adoption and implementation of the proposed Climate Action Plan Update warrants the preparation of an addendum. This addendum supplements the General Plan 2040 EIR analysis and evaluates the specific GHG reduction and climate change adaptation measures and strategies in the CAP for potential to change the conclusions of the General Plan 2040 EIR.

CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES REGARDING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Altered conditions, changes, or additions to the description of a project that occur after certification of an EIR may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the State CEQA Guidelines, which establish three mechanisms to address these changes: a Subsequent EIR, a Supplement to an EIR, and an Addendum to an EIR.

Section 15162 of the State CEQA Guidelines describes the conditions under which a Subsequent EIR would be prepared. In summary, when an EIR has been certified for a project, no Subsequent EIR is required unless the lead agency determines, 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 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified 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 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, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR;

(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 measures or alternatives; 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.

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a Supplement to an EIR rather than a Subsequent EIR if:

(1) any of the conditions described above for Section 15162 would require the preparation of a Subsequent EIR; and

(2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

An addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA (Public Resources Code [PRC]) Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, 15168, and 15183.

This addendum includes an attachment with an environmental checklist that contains the substantial evidence supporting that the proposed CAP update would not result in any new or substantially more severe environmental impacts from those identified in the General Plan 2040 EIR. This addendum and checklist serve as the appropriate CEQA compliance document and have been prepared consistent with the requirements of Section 15162 of the State CEQA Guidelines. To ensure that all environmental topical areas are appropriately evaluated, the environmental checklist was prepared to mirror the standard organization of the sample environmental checklist presented in Appendix G of the State CEQA Guidelines. For each checklist topic, the analysis evaluates whether any “changed condition” (i.e., changed circumstances, project changes, issues that are peculiar to the project, or new information of substantial importance) that may result in a different or new environmental impact significance conclusion from the EIR would occur. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to PRC Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, 15168, and 15183. Through this detailed analysis, the City has demonstrated that implementation of the proposed CAP would not result in new or substantially severe impacts than disclosed in the General Plan 2040 EIR.

SUMMARY OF FINDINGS

The environmental checklist for this Addendum provides analysis and discussion of potential environmental impacts of the proposed CAP, based on the checklist questions from Appendix G of the State CEQA Guidelines. As demonstrated in this Addendum, the proposed CAP would not change any of the conclusions of the General Plan 2040 EIR. The analysis demonstrates that implementation of the proposed CAP would not result in new significant effects or a substantial increase in the severity of previously identified significant effects. Further, no new information of substantial importance has been identified that suggests the potential for the CAP to result in significant or substantially more severe effects not discussed in the General Plan 2040 EIR.

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LIST OF ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADWF	average dry weather flow
af/yr	acre-feet per year
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BAU	Business-as-usual
CAP Update	City of Milpitas's Climate Action Plan Update
CAP	Climate Action Plan
CBSC	California Building Standards Code
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
EO	Executive Orders
General Plan 2040 EIR	City of Milpitas's General Plan Update
GHG	greenhouse gas
MS4	municipal separate storm sewer
MTCO _{2e}	metric tons of carbon dioxide equivalent
PM ₁₀	respirable particulate matter
PM _{2.5}	fine particulate matter
PRC	Public Resources Code
SCVWD	Santa Clara Valley Water District
SFPUC	San Francisco Public Utilities Commission
SOI	sphere of influence
SVCE	Silicon Valley Clean Energy
TDM	Transportation demand management
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled
WSCP	Water Shortage Contingency Plan

1 INTRODUCTION

The City of Milpitas Climate Action Plan (CAP), adopted by the City Council in May 2013, was intended to serve as a roadmap to meeting the State's 2020 greenhouse gas (GHG) emissions reduction target pursuant to Assembly Bill (AB) 32 (i.e., 15 percent below 2005 emissions levels based on available city emissions inventory data). The CAP was designed to streamline environmental review of future development projects in the city consistent with State CEQA Guidelines Section 15183.5(b) and the Bay Area Air Quality Management District's (BAAQMD's) CEQA [California Environmental Quality Act] Air Quality Guidelines.

Since adoption of the CAP, the City has implemented over half of the identified actions along with other actions that have resulted in an overall reduction in communitywide GHG emissions. Some of the contributing factors to the decrease in GHG emissions include the availability of carbon-free electricity in Milpitas through participation in Silicon Valley Clean Energy (SVCE), installation of local solar, changes in development trends, and the opening of the Milpitas Bay Area Rapid Transit (BART) station in late 2020. Through implementation of both local and state actions, the City achieved its 2020 GHG emissions reduction target ahead of schedule.

As originally adopted, the CAP was not designed to address GHG reduction targets beyond 2020, including 40 percent below 1990 levels by 2030 (consistent with Senate Bill [SB] 32) or the long-term GHG reduction targets expressed in Executive Orders (EOs) S-3-05 (i.e., 80 percent below 1990 levels by 2050) and B-55-18 (i.e., achieving carbon neutrality no later than 2045). In addition, the CAP growth projections were based on data sources that are now outdated: population and employment factors were derived from the Association of Bay Area Governments' (ABAG's) 2009 regional forecasts, and vehicle miles traveled (VMT) was derived from the Milpitas Travel Forecasting Model, which was based on land use designations included in the Transit Area Specific Plan (adopted June 2008) and the Midtown Specific Plan (amended October 2008). The specific plans and ABAG regional forecasts have all been updated since the CAP was adopted.

Additionally, the Milpitas City Council adopted an update to the General Plan on March 9, 2021 (referred to as "General Plan 2040"). General Plan 2040 identifies the community's vision for the future and provides a framework that will guide decisions on growth, development, and conservation of open space and resources in a manner that is consistent with the quality of life desired by the city's residents and businesses through the horizon year of 2040. The City prepared and certified an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070348) for General Plan 2040 that evaluated the environmental impacts associated with development of land uses and implementation of planning efforts as regulated and guided by General Plan 2040. Among the proposed policies and actions evaluated in the General Plan 2040 EIR, Action CON-1a required the City to update the City's CAP to achieve the GHG reduction targets for 2030 and 2050.

The City of Milpitas's Climate Action Plan Update (CAP Update) was released for public review in May of 2022. The CAP Update outlines a pathway to achieve GHG emissions reductions of 36 percent below 2019 levels by 2030 (meeting the State's interim target) and carbon neutrality by 2045. The CAP Update identifies 11 strategies and 38 measures that specify a plan of action to reduce GHG emissions across all sectors. The strategies, measures, and actions complement the General Plan 2040 policy framework by promoting clean electricity, decarbonizing transportation and buildings, encouraging sustainable land use and resource management, enhancing community awareness, and enhancing community resilience to climate change. The City of Milpitas, as the lead agency, proposes to adopt the CAP Update, including strategies, measures, and actions that would apply to all property located within the city.

1.1 ADDENDUM ANALYSIS

The General Plan 2040 EIR (consisting of the Draft EIR and Final EIR) is a program EIR that considered the environmental effects from the 2040 buildout scenario. Consistent with PRC)Section 21083.3(b) and State CEQA Guidelines Section 15168 and 15183, the General Plan 2040 EIR can be used as the CEQA document for subsequent

projects (public and private) consistent with General Plan 2040. As projects are proposed, such as the CAP Update, they are evaluated to determine whether the actions proposed fall within the scope of the General Plan 2040, whether project impacts are addressed in the certified General Plan 2040 EIR, and whether the project incorporates all applicable performance standards and mitigation measures identified therein. Should subsequent projects not be consistent with the approved General Plan 2040, or if there are specific significant effects that are peculiar to the project and cannot be addressed by uniformly applied policies or standards, additional environmental review through the subsequent review provisions of CEQA for changes to previously reviewed and approved projects may be warranted. If an impact is not peculiar to the project, has been addressed as a significant effect in the General Plan 2040 EIR, or can be substantially mitigated by the imposition of uniformly applied policies or standards, then an additional EIR need not be prepared for the project solely based on that impact.

This Addendum supplements the General Plan 2040 EIR analysis and evaluates the specific GHG reduction and climate change adaptation measures and strategies in the CAP Update for potential to change the conclusions of the General Plan 2040 EIR. The analysis in this Addendum remains programmatic; it does not specifically analyze individual projects or actions resulting from implementation of the CAP Update because the details of such projects and actions are not available (e.g., specific location of infrastructure). Specific GHG reduction measures or strategies would require subsequent implementing action by the City. The City would implement specific activities proposed under the CAP Update (i.e., "later activities"), determining whether they are consistent with the activities identified in the CAP Update, and determining whether sufficient evaluation of the potential environmental impacts associated with these later activities has been provided in the General Plan 2040 EIR and this Addendum. These later activities would be examined to determine whether an additional environmental document must be prepared. During this examination, if the City finds pursuant to State CEQA Guidelines Section 15162 that no new significant effects would occur or no new mitigation measures would be required on a subsequent project, the activity can be approved as being within the scope of the project covered by the General Plan 2040 EIR and this Addendum. In this situation, the City must incorporate all applicable requirements from the General Plan 2040 EIR into the later activity to address significant or potentially significant effects on the environment. If a subsequent project or later activity would have significant effects that were not examined in the General Plan 2040 EIR and this Addendum, the City would prepare the appropriate environmental document. If an additional environmental document is needed, whether it is a mitigated negative declaration or a Supplement to the General Plan 2040 EIR, the General Plan 2040 EIR and this Addendum can be used to simplify the task of preparing the follow-up environmental document by allowing the City to focus on the issues that were not previously addressed in the General Plan 2040 EIR and this Addendum, as indicated in State CEQA Guidelines Section 15168(d).

1.1.1 Tiering and Streamlining the Analysis of Greenhouse Gas Emissions for Future Projects

The CAP Update meets the requirements for a GHG reduction plan set forth in Section 15183.5(b)(1) of the State CEQA Guidelines. Therefore, if adopted, it could be used to streamline the analysis of GHG emissions for future projects (known as a "qualified CAP"). As established in Section 15183.5 of the State CEQA Guidelines, a plan to reduce GHG emissions (i.e., the proposed CAP Update) may be used as the basis of future project-level analyses of GHG emissions impacts. Where subsequent projects use CAP Update compliance as the basis for the analysis of potential impacts due to GHG emissions, they would tier from and/or incorporate by reference the programmatic GHG analysis in the General Plan 2040 EIR and this Addendum.

CAP Update compliance would be determined through completion of the CAP Update Consistency Review Checklist, which provides a process for subsequent development projects to demonstrate how they would be consistent with the CAP Update (i.e., they would not hinder attainment of the City's 2030 GHG reduction target). An environmental document that relies on the CAP Update for analysis of GHG emissions impacts would be required to identify the requirements in the CAP Update that apply to the project and incorporate those requirements as mitigation measures, if not otherwise binding and enforceable. In turn, "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the

requirements in a previously adopted plan” (State CEQA Guidelines Section 15183.5[b][2]). Streamlining the GHG analysis based on CAP Update consistency does not affect the obligation to address potential effects on other resource areas during project-level environmental review. Projects that are not consistent with the CAP Update would be subject to separate technical analysis and project mitigation.

BAAQMD encourages jurisdictions to adopt local GHG reduction strategies that meet the Section 15183.5(b)(1) criteria and recommends that cities and counties evaluate plans “based on whether they will be consistent with California’s long-term climate goal of achieving carbon neutrality by 2045. To be consistent with this goal, these plans should reduce GHG emissions in the relevant jurisdiction to meet an interim milestone of 40 percent below the 1990 emission level by 2030, consistent with SB 32, and to support the State’s goal of carbon neutrality by 2045” (BAAQMD 2022:3). This approach to local climate planning, tied to the SB 32 and carbon neutrality goals, promotes reductions on a plan level without impeding the implementation of GHG-efficient development. A qualified CAP provides the evidentiary basis for making CEQA findings that development consistent with the plan will result in feasible, measurable, and verifiable GHG reductions consistent with broad State goals such that projects approved under the plan will achieve their “fair share” of GHG emission reductions (BAAQMD 2022:21).

1.1.2 Document Organization

This Addendum is organized as follows:

- ▶ **Section 1: Introduction.** This section introduces the environmental review process. It describes the purpose and organization of the analysis and presents a summary of findings.
- ▶ **Section 2: Project Description.** This section provides a brief description of the proposed CAP Update.
- ▶ **Section 3: Environmental Checklist for Supplemental Environmental Review.** This section presents an analysis of a range of environmental issues to determine whether the environmental impacts of the CAP Update meet any of the following four conditions:
 - Are peculiar to the project or the area in which the project would be located,
 - Were not analyzed as significant effects in the General Plan 2040 EIR,
 - Are potentially significant off-site impacts and cumulative impacts which were not addressed in the General Plan 2040 EIR, or
 - Are previously identified significant effects which are determined to have a more severe adverse impact than discussed in the General Plan 2040 EIR based on substantial new information that was not known at the time the General Plan 2040 EIR was certified.
- ▶ **Section 4: References.** This section lists the references used in preparation of this Addendum.

1.1.3 Summary of Findings

The Environmental Checklist for this Addendum provides analysis and discussion of potential environmental impacts of the proposed CAP Update, based on the checklist question from Appendix G of the State CEQA Guidelines. The analysis demonstrates that implementation of the proposed CAP Update would not result in new significant effects or a substantial increase in the severity of previously identified significant effects. Further, no new information of substantial importance has been identified that suggests the potential for the CAP Update to result in significant or substantially more severe effects not discussed in the previous EIR.

2 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

The City of Milpitas's CAP Update is designed to be as a comprehensive roadmap to continue addressing the challenges of climate change and keep the City on its path to carbon neutrality by 2045. The CAP Update is the product of extensive and ongoing engagement with residents, businesses, local government, and other organizations and stakeholders. These extensive community engagement efforts have resulted in locally based and context-specific strategies, measures, and actions designed to achieve the City's climate objectives while simultaneously enhancing the quality of life for Milpitas's residents, workers, and visitors.

2.2 PROJECT LOCATION

As shown in Figure 2-1, the City of Milpitas encompasses approximately 18 square miles, extending between the south end of the San Francisco Bay and the Los Buellis Hills of the Mount Diablo Range in northern Santa Clara County. Milpitas is often called the "Crossroads of Silicon Valley" with most of its land situated between major freeways (Interstates 880 and 680), State Route 237, and a county expressway. The Planning Area for the CAP Update is the same Planning Area that was considered by General Plan 2040 EIR and includes both the area within the city and the sphere of influence (SOI).

2.3 PROJECT DESCRIPTION

Reducing GHG emissions in California has been the focus of state government for over two decades. GHG emissions targets established by the State Legislature include reducing statewide GHG emissions to 1990 levels by 2020 (Assembly Bill [AB] 32 of 2006) and to 40 percent below 1990 levels by 2030 (SB 32 of 2016). EO S-3-05 calls for reducing statewide GHG emissions to 80 percent below 1990 levels by 2050. EO B-55-18 calls for California to achieve carbon neutrality no later than 2045 and to achieve and maintain net negative GHG emissions thereafter. These targets are in line with the scientifically established levels needed in the US to limit the rise in global temperature to no more than 2 degrees Celsius, the warming threshold at which major climate disruptions, such as super droughts and rising sea levels, are projected; these targets also pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (United Nations 2015:3).

The City of Milpitas has demonstrated an ongoing commitment to reducing GHG emissions. The City adopted a CAP in 2013; and, through implementation of both local and state actions, the City achieved its 2020 GHG emissions reduction target ahead of schedule. Key achievements since adoption of the CAP include the City's communitywide organics and food scraps diversion program; the updated the Milpitas Trail, Pedestrian, and Bicycle Master Plan; the innovative Milpitas OnDemand pilot project; and adoption of plans and guidelines to improve water security and increase urban green space. The City of Milpitas also played an integral role in the launch of SVCE, a community choice aggregator that provides carbon-free electricity to the city and surrounding communities. The City achieved a historic milestone in 2018 when nearly all residents and businesses in the city began receiving carbon-free electricity from SVCE.

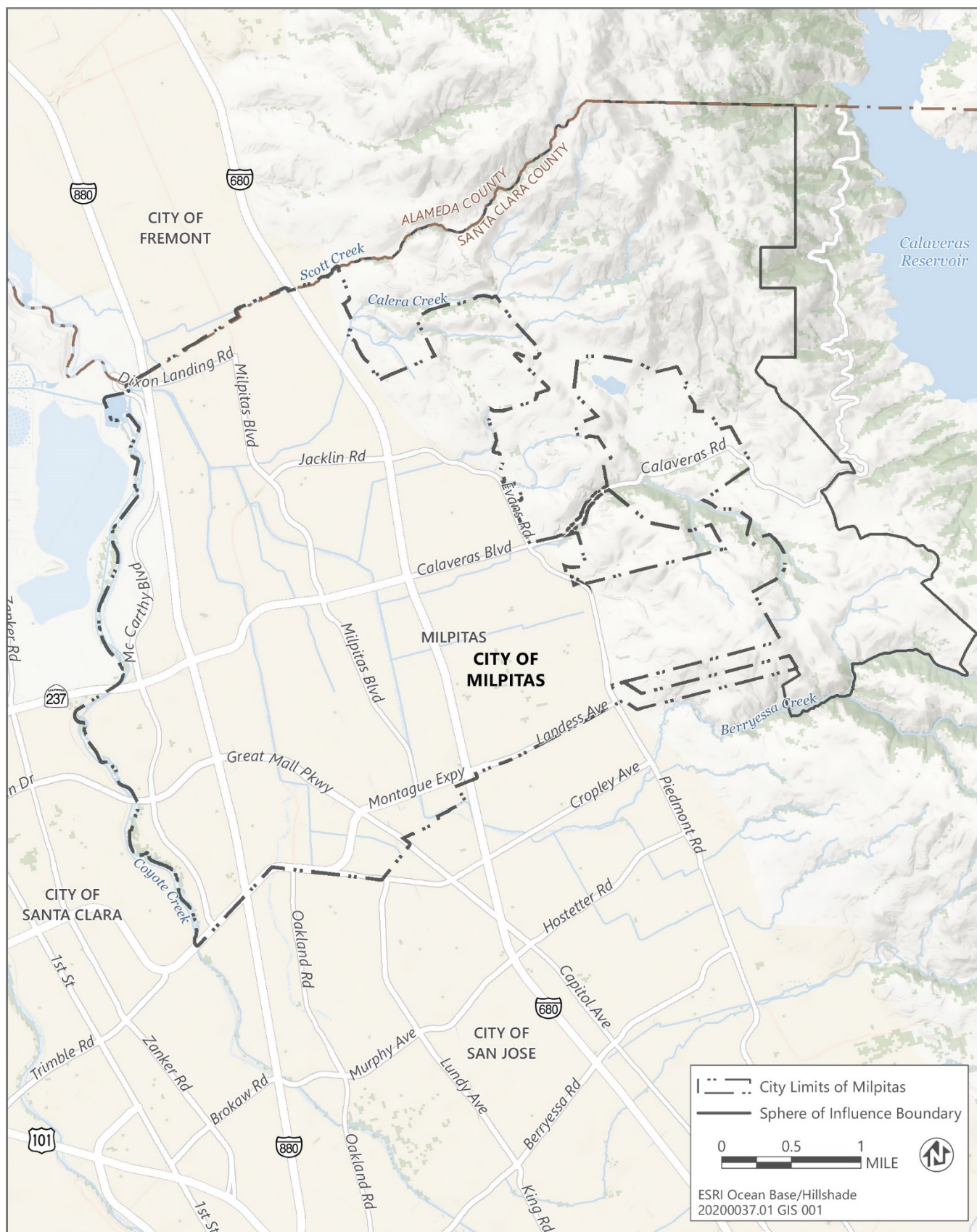


Figure 2-1 **Project Area**

Although the CAP helped the City exceed the State's 2020 GHG emissions reduction target, it was not designed to address State reduction targets for 2030, 2045, or 2050. As a result, General Plan 2040 (adopted by the Milpitas City Council on March 9, 2021) includes Action CON-1a, which required the City to update the City's CAP to achieve the GHG reduction targets for 2030 and 2050. The CAP Update was released for public review in May of 2022. The CAP Update outlines a pathway to achieve GHG emissions reductions of 36 percent below 2019 levels by 2030 (meeting the State's interim target) and carbon neutrality by 2045. The CAP Update identifies 11 strategies and 38 measures that specify a plan of action to reduce GHG emissions across all sectors. The strategies, measures, and actions complement the General Plan 2040 policy framework by promoting clean electricity, decarbonizing transportation and buildings, encouraging sustainable land use and resource management, enhancing community awareness, and enhancing community resilience to climate change. The City of Milpitas, as the lead agency, proposes to adopt the CAP Update, including strategies, measures, and actions that would apply to all property located within the city.

The following sections describe the project, including the contents of the CAP Update.

2.3.1 Climate Action Plan Update

The CAP Update is developed to be consistent with state legislation and policies that are aimed at reducing statewide GHG emissions. This includes:

- ▶ SB 32, which established a mid-term target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; and
- ▶ Executive Order B-55-18, which recommends achieving statewide carbon neutrality no later than 2045, and net negative emissions thereafter.

To develop the strategies, measures, and actions in the CAP Update, the City analyzed its updated baseline 2019 GHG emissions, forecasted future emissions while accounting for growth projections aligned with General Plan 2040, modeled impacts of existing policies and programs, and determined future scenarios for GHG emissions to estimate how emissions can be reduced through climate action. Based on this analysis, the CAP Update aims to achieve the following GHG reduction targets:

- ▶ 36 percent below 2019 levels by 2030,
- ▶ 79 percent below 2019 levels by 2040, and
- ▶ Carbon neutrality by 2045.

To achieve these GHG reduction targets, the CAP Update accounts for actions taken by state and federal agencies and existing City initiatives including continued implementation of the CAP reduction measures, SVCE's carbon-free electricity supply, and the organics and food scraps diversion program. The CAP Update identifies several sector-based strategies, measures, and actions that can be implemented locally by the City or others. The City plans to begin implementing the measures and actions upon adoption, and data tracking will begin the following year. As measures are implemented, the effects on emissions trends in the city will necessitate CAP Update maintenance and updates to ensure relevancy and effectiveness.

CAP UPDATE CONTENTS

The CAP Update contains an executive summary and seven chapters, which are briefly summarized below.

- ▶ **Chapter 1. Introduction:** This chapter discusses the scientific climate change context for which the CAP Update was prepared, how the CAP Update was developed, existing initiatives at the state, regional, and local levels, and community engagement during the CAP Update development process.
- ▶ **Chapter 2. Greenhouse Gas Emissions Inventory, Forecasts, and Targets:** This chapter sets the foundation for the CAP Update by describing current and forecasted GHG emissions and reduction targets. It summarizes the City's

emissions inventories and provides a framework for evaluating and addressing the community's contribution to climate change.

- ▶ **Chapter 3. Municipal Operations Emissions:** This chapter summarizes the City's GHG inventory and forecasts for municipal operations and outlines the reduction targets.
- ▶ **Chapter 4. Greenhouse Gas Reduction Strategies and Measures:** This chapter presents the strategies and measures that the City will implement to reduce GHG emissions to achieve its reduction targets.
- ▶ **Chapter 5. Making Milpitas Climate Ready:** This chapter describes the context of climate change adaptation and resilience for the city. It summarizes the city's exposure to existing hazards, sensitivity to these hazards, and discusses potential climate-related impacts to the city's population and key resources, as well as strategies and measures to adapt to climate-related impacts.
- ▶ **Chapter 6. Implementation and Monitoring:** This chapter outlines actions the City will take to implement the CAP Update strategies and measures, and it describes the process for assessing and monitoring progress over time to ensure the CAP Update is effective in reducing emissions and improving resilience to climate change.
- ▶ **Chapter 7. References:** This chapter compiles all references used in the previous chapters of the CAP Update.

BASELINE AND FORECAST GREENHOUSE GAS EMISSIONS

Inventory

A community GHG emissions inventory is an estimate of a defined set of gases emitted to the atmosphere from local or regional sources that contribute to climate change. The CAP Update uses an emissions inventory from 2019 as the baseline. The City's 2019 GHG inventory was guided by the protocols outlined in ICLEI—Local Governments for Sustainability's *U.S. Community Protocol for Accounting and Reporting Greenhouse Gas Emissions*, Version 1.2 (ICLEI 2019).

In 2019, Milpitas generated approximately 441,557 metric tons of carbon dioxide equivalent (MTCO₂e), representing a 19 percent decrease from 2005 levels. Prior to the availability of carbon-free electricity from SVCE, electricity and natural gas consumption in buildings accounted for almost the same proportion of the inventory as on-road transportation, 44 percent and 47 percent, respectively (as shown in the 2015 community inventory). Following the availability of SVCE-supplied electricity in 2018, 97 percent of Milpitas's residents and businesses were purchasing carbon-free electricity through SVCE. Electricity and natural gas consumption dropped to 32 percent of the community inventory in 2019, while on-road transportation increased to 59 percent. The 2019 community GHG inventory is shown in Table 2-1.

Table 2-1 Milpitas 2019 Community Greenhouse Gas Emissions Inventory

Emissions Sector	GHG Emissions (MTCO ₂ e/year)	Percent of Total
On-Road Transportation	259,627	59
Nonresidential Building Energy	98,319	22
Residential Building Energy	42,218	10
Solid Waste	23,566	5
Off-Road Vehicles and Equipment	15,554	4
Wastewater Treatment	1,578	<1
Water Supply	694	<1
Total	441,557	100

Note: Columns may not sum to totals due to independent rounding.

MTCO₂e = metric tons of carbon dioxide equivalent

Source: City of Milpitas 2022.

Forecasts

GHG emissions forecasts provide an estimate of future GHG levels based on a continuation of current trends in activity, population and job growth, and relevant regulatory actions adopted by federal, State, and regional agencies (i.e., legislative actions). Emissions forecasts provide insight into the scale of local reductions needed to achieve GHG emissions reduction targets. The following scenarios were developed to support the CAP Update:

- ▶ **Business-as-usual (BAU) forecast:** analyzes how emissions will grow if per capita consumption trends continue and efficiencies remain at their 2019 levels, while the number of jobs, households, and people in Milpitas continues to grow. The BAU analysis incorporates the demographic projections
- ▶ **Legislative-adjusted BAU forecast:** analyzes how emissions will change under the impact of state and federal policies currently in place that are expected to significantly reduce GHG emissions in Milpitas.
- ▶ **Target reduction path:** identifies the path to meet the State's 2030 GHG reduction target of 40 percent below 1990 levels. This path shows emissions reductions over the coming decades but does not show a substantiated path to meeting the statewide carbon neutrality target by 2045.

Local Emissions Gap

The CAP Update contains strategies, measures, and actions that are designed to address the GHG gap between the legislative-adjusted BAU forecast and the target reduction path, as shown in Table 2-2 below.

Table 2-2 Milpitas Community Greenhouse Gas Local Emissions Gap (MTCO₂e)

Emissions Forecast	2019	2030	2040	2045
Business-as-Usual	441,557	502,207	534,465	555,142
Legislative-Adjusted Business-as-Usual	441,557	420,636	396,629	395,432
Target Percent Reduction below 2019 Levels	—	36%	79%	100%
Target Annual Emissions	—	283,817	994,606	0
Local Emissions Gap	—	136,819	302,023	395,432
Total Reductions from Measures	—	147,697	251,999	331,780
Remaining Gap to Target	—	(10,878) ¹	50,024	63,651
Target Met?	—	Yes	No	No

Notes: MTCO₂e/year = metric tons or carbon dioxide equivalent.

¹ Indicates target has been achieved with a surplus of reductions.

Source: City of Milpitas 2022

GREENHOUSE GAS REDUCTION AND ADAPTATION STRATEGY

The CAP Update includes a strategic framework that lays out the pathway to achieve the 2030 target and make substantial progress towards the long-term 2040 and 2045 targets. The framework includes the following elements:

- ▶ **Focus areas:** seven focus areas for GHG mitigation and six focus areas for climate adaptation.
- ▶ **Strategies:** 11 strategies organized into seven sectors: building energy, transportation and land use, waste, off-road vehicles and equipment, water and wastewater, carbon sinks, and circular and green economy.
- ▶ **Measures:** 38 measures that represent specific expressions of the broad strategies across all seven sectors.
- ▶ **Actions:** Activities, programs, policies, or projects the City will implement or support to achieve the CAP Update targets, associated with the measures.
- ▶ **Near-term actions:** 28 actions that will be implemented in the 3 to 5 years after the CAP Update is adopted, along with the actions that will be implemented in the first 18 months after adoption.

Refer to Table 2-3 for a complete set of strategies, measures, and actions included in the CAP Update. The CAP Update does not include any development proposals and would not directly result in physical environmental effects due to the construction and operation of facilities.

IMPLEMENTATION STRATEGY, MONITORING, AND UPDATES

Ensuring that the measures identified in the CAP Update result in emissions reductions and resilience improvements is central to the success of this CAP Update. The City would begin implementing CAP Update measures and actions upon adoption, and data tracking would begin in the year following. As measures are implemented, the effects on emissions trends and climate resilience in the city would necessitate CAP Update maintenance and updates to ensure relevancy and effectiveness. The CAP Update would be subject to ongoing management and oversight. The City's GHG emissions inventory and vulnerability assessment would be updated to gauge progress over time.

City staff would evaluate the performance of each GHG reduction action that has been implemented. This entails monitoring the level of community participation, costs, benefits, effectiveness, and barriers to implementation, as well as actual reductions in activities that result in GHG emissions. In addition to considering these factors, assessing the performance of CAP Update adaptation actions would be informed by resilience-related improvements in the community. By evaluating whether the implementation of an action is on track to achieve its objective, the City can identify successful actions and reevaluate or replace underperforming measures.

City staff will prepare a monitoring report annually and a GHG emissions inventory and vulnerability assessment update every 2 to 3 years. This report will provide updates on CAP Update progress, including the status of actions implemented to achieve GHG reductions and improve resilience, as well as other important milestones in the CAP Update implementation process. As technologies and markets change and the City implements the actions in the CAP Update, these reports will be used to track progress and identify actions that need to be improved, adjusted, or removed. The report will also be used for periodic presentations to the City Council and Energy and Environmental Sustainability Commission about implementation progress on actions and overall progress towards CAP Update objectives. The report would also serve to provide transparency and promote engagement with the public for CAP Update implementation. The report would be derived from the tracking metrics included on the online dashboard that the City has developed.

Finally, the City would prepare an update to the plan every 5 years, beginning in 2026. Updates would reflect the findings and recommendations of the monitoring reports and inventory updates. Future updates are necessary to account for any new State or federal legislation that may affect the CAP Update, and to focus on GHG reduction measures and actions that may have been difficult to implement previously due to a lack of available technologies or high upfront implementation costs.

CAP UPDATE CONSISTENCY REVIEW CHECKLIST

The City has prepared a CAP Update Consistency Review Checklist that provides a process and evidence by which subsequent development projects would demonstrate how they would be consistent with the CAP Update (i.e., they would not hinder attainment of the 2030 reduction target). An environmental document that relies on the CAP Update for analysis of GHG emissions impacts would be required to identify the requirements in the CAP Update that apply to the project and incorporate those requirements as mitigation measures, if not otherwise binding and enforceable. Projects that are not consistent with the CAP Update would be subject to separate technical analysis and project mitigation.

2.4 POTENTIAL PERMITS AND APPROVALS REQUIRED

The City is the CEQA lead agency responsible for adoption and implementation of the proposed CAP Update. As the lead agency, the City is responsible for considering the adequacy of the supplemental environmental review before determining if the overall project should be adopted.

Table 2-3 Milpitas CAP Update Strategies, Measures, and Actions

Measures	Actions
Strategy BE-1: Shift to Clean and Reliable Energy	
BE-1.1: Achieve 100 percent carbon-free electricity by 2030 in all existing and new development.	<ul style="list-style-type: none"> ▶ BE-1.1.1: Require new development to install onsite renewable energy and storage systems capable of meeting anticipated building energy consumption, or participate in a group-buy solar and storage program, or opt in to SVCE's carbon-free electricity option. ▶ BE-1.1.2: Review zoning regulations for opportunities to simplify and encourage the installation of renewable energy systems. ▶ BE-1.1.3: Conduct outreach to residents and business owners to increase awareness of SVCE's carbon-free electricity supply. ▶ BE-1.1.4: Require all newly built parking structures to have solar generation capabilities. ▶ BE-1.1.5: Collaborate with the Milpitas Chamber of Commerce and other partners to identify regional programs that could provide necessary financial arrangements to facilitate the use of PPAs for residential and nonresidential buildings. Work with SVCE to provide a cost-effective direct access program. ▶ BE-1.1.6: Require the installation of solar heaters for all new swimming pools. ▶ BE-1.1.7: Work with utility partners (e.g., PG&E, SVCE, state regulators) to improve electric grid reliability.
BE-1.2: Facilitate innovative approaches to energy generation, distribution, and storage (e.g., microgrids).	<ul style="list-style-type: none"> ▶ BE-1.2.1: Consider opportunities for alternative energy generation, energy recapture (in-conduit hydro, co-generation), and distributed energy storage systems. ▶ BE-1.2.2: Collaborate with SVCE to encourage local schools and hospitals to develop microgrids, separate from utility-scale storage systems.
BE-1.3: Strengthen community awareness of energy efficiency, energy conservation, electrification, and clean energy.	<ul style="list-style-type: none"> ▶ BE-1.3.1: Work with regional partner agencies and utilities, such as BAAQMD, PG&E, and SVCE to promote State rebates and other incentives and funding opportunities for renewable energy. ▶ BE-1.3.2: Develop and implement a comprehensive energy efficiency, energy conservation, electrification, and clean energy outreach and education campaign to support emissions reductions from building energy use.
Strategy BE-2: Maximize Building Decarbonization and Efficiency	
BE-2.1: Adopt updated "reach" building codes with each building and energy code cycle to accelerate all-electric new development.	<ul style="list-style-type: none"> ▶ BE-2.1.1: Adopt an updated reach code for the 2022 code cycle that prohibits the installation of natural gas infrastructure in new development. Include a ban on the installation of fossil fuel-powered backup energy sources in new development by 2030. ▶ BE-2.1.2: Partner with BayREN, SVCE, PG&E, other cities, and the private sector to develop effective strategies to facilitate electrification implementation. ▶ BE-2.1.3: Increase awareness and create incentives for developers to build all-electric buildings, such as reduced permit and/or impact fees.
BE-2.2: Facilitate all-electric development projects for industrial buildings.	<ul style="list-style-type: none"> ▶ BE-2.2.1: Build market demand for all-electric industrial buildings.

Measures	Actions
BE-2.3: Expand the City's Green Building Program.	<ul style="list-style-type: none"> ▶ BE-2.3.1: Develop additional incentives, above and beyond expedited building permit processing, for projects that incorporate sustainable design approaches and/or elements that exceed local, regional, and State requirements.
BE-2.4: Retrofit existing residential and nonresidential buildings and municipal facilities to improve energy efficiency and facilitate fuel switching.	<ul style="list-style-type: none"> ▶ BE-2.4.1: Develop a comprehensive energy retrofit program to transition existing residential buildings to all-electric by 2045. Begin the program by providing education and incentives, then transition to point-of-sale and replace retrofit requirements. ▶ BE-2.4.2: Connect building owners to funding resources and financing options, such as Energy Upgrade California, for energy efficiency retrofits and improvement projects. ▶ BE-2.4.3: Develop a comprehensive energy retrofit program to transition existing nonresidential buildings to all-electric, aiming for a 60 percent conversion rate by 2045. Begin the program by providing incentives then transition to point-of-sale and replace retrofit requirements. ▶ BE-2.4.4: Eliminate the provision of fossil fuel-powered backup generator permits for existing nonresidential development by 2030.
BE-2.5: Facilitate energy audits for existing buildings to identify energy efficiency retrofit and electrification opportunities.	<ul style="list-style-type: none"> ▶ BE-2.5.1: Work with PG&E, SVCE, and other agencies to provide free energy audits of existing residential and nonresidential buildings. ▶ BE-2.5.2: Encourage ongoing energy benchmarking in existing nonresidential buildings, consistent with regulatory benchmarking programs and existing green building standards to help close the energy efficiency information gap.
BE-2.6: Reduce plug loads in existing buildings.	<ul style="list-style-type: none"> ▶ BE-2.6.1: Use partnerships to promote appliance upgrades to energy-efficient technologies and products through campaigns targeted at residents and local businesses, ENERGY STAR® appliance change-out programs and incentives (e.g., giveaways, federal/state/utility rebates etc.). ▶ BE-2.6.2: Facilitate the adoption of smart grid and other peak load reduction technologies, such as building energy management systems and smart appliances, with existing buildings.
Strategy TR-1: Facilitate Sustainable Transportation and Land Use Planning	
TR-1.1: Reduce VMT from new development in compliance with SB 743.	<ul style="list-style-type: none"> ▶ TR-1.1.1: Enforce the City's requirements for SB 743, which mandate a 15 percent reduction in new project-generated VMT. ▶ TR-1.1.2: Continuously update the City's VMT policy and implementation tools to further reduce VMT.
TR-1.2: Reduce VMT from existing development.	<ul style="list-style-type: none"> ▶ TR-1.2.1: Work with local employers to provide subsidies to employees for using transit or active transportation to commute to work, and encourage flexible work schedules (e.g., 9/80s and 4/10s) as well as telecommuting. ▶ TR-1.2.2: Partner with local businesses to provide discounts or rewards programs to incentivize using transit or active transportation to travel to businesses. ▶ TR-1.2.3: Require employers of 50 or more employees to implement vehicle trip reduction programs and limit car commutes to 40 percent of their workforce by 2030. ▶ TR-1.2.4: Adopt and phase a citywide TDM ordinance by 2023, building on recommendations of the Metro Specific Plan and incorporate the TDM ordinance into the Zoning Ordinance Update (anticipated in 2025). ▶ TR-1.2.5: Implement existing TDM plans, such as The District at Milpitas Lot 3A TDM Plan. ▶ TR-1.2.6: Support growth of on-demand mobility services (e.g., ride-, car-, and bike-sharing, scooter, e-hailing) in Milpitas.

Measures	Actions
TR-1.3: Continue to implement and adopt policies that support high-density, mixed-use, and transit-oriented development and housing near jobs.	<ul style="list-style-type: none"> ▶ TR-1.3.1: Facilitate the development of complete streets and neighborhoods. ▶ TR-1.3.2: Maintain and continue to improve regional arterials within the city. ▶ TR-1.3.3: Promote and facilitate the creation of an innovation district within the Metro Specific Plan Area to provide more jobs near transit and housing. ▶ TR-1.3.4: Support high levels of ridership at the Milpitas BART station by encouraging higher density, mixed uses, and connectivity along transit corridors and at transit nodes. Promote the increase of density and mixed uses in key opportunity areas. ▶ TR-1.3.5: Promote dense development in central locations and along transportation corridors. Support redevelopment of older commercial or gateway areas (Main Street and Calaveras) to intensify development and a mix of uses along major transit corridors. Encourage development of urban plazas in new development in the Milpitas Metro Specific Plan, Midtown Specific Plan, and town center areas to encourage pedestrian activity and vibrant mixed-use centers that reduce vehicular activity. ▶ TR-1.3.6: Promote the increase of density and mixed uses in key opportunity areas. ▶ TR-1.3.7: Encourage development of urban plazas in new development in the Milpitas Metro Specific Plan, Midtown Specific Plan, and town center areas to encourage pedestrian activity and vibrant mixed-use centers that reduce vehicular activity.
TR-1.4: Explore car-free zones or shared streets in appropriate areas.	<ul style="list-style-type: none"> ▶ TR-1.4.1: Explore car-free zones in commercial hubs such as those identified in the Midtown Specific Plan and Metro Specific Plan areas.
Strategy TR-2: Decarbonize Vehicles	
TR-2.1: Increase EV charging infrastructure.	<ul style="list-style-type: none"> ▶ TR-2.1.1: Work with SVCE and other partners to provide incentives and increase EV charging stations in visible, accessible, shared locations such as mixed-use development or accessible to multi-family renters and provide free public charging. ▶ TR-2.1.2: With each Title 24 and CALGreen code cycle, adopt updated EV charging station standards for all new development through the City's reach codes that go beyond State requirements. Require 50 percent of parking spaces in new development to be EV-ready by 2030. ▶ TR-2.1.3: Provide rebates and other incentives to home and business owners to install EV chargers. ▶ TR-2.1.4: Ensure EV charging stations are encouraged and allowed through land use designations that currently permit gas fueling stations.
TR-2.2: Increase EV and low-carbon vehicle adoption.	<ul style="list-style-type: none"> ▶ TR-2.2.1: Improve awareness of local, regional, and State incentives for low- and zero-emission vehicles and increase EV purchases in Milpitas through events and resource promotion such as through Climate Action Milpitas Dashboard. ▶ TR-2.2.2: Partner with BAAQMD, Joint Venture Silicon Valley, and the Silicon Valley Clean Cities Coalition to pursue funding for EV deployment projects in the city. ▶ TR-2.2.3: Include a provision in the next contract with the City's solid waste franchise hauler that they use alternative fuel vehicles for the fleet which services Milpitas. ▶ TR-2.2.4: Partner with Acterra and its GoEV Program to deploy a public outreach campaign that give the public opportunities to drive EVs and provides EV education.

Measures	Actions
	<ul style="list-style-type: none"> ▶ TR-2.2.5: Adopt an ordinance that phases out development of new gasoline and diesel fuel stations as the market shifts to fossil fuel-free vehicles. ▶ TR-2.2.6: Provide incentives to convert vehicle fleets (e.g., rental, private, school) in the city.
TR-2.3: Reduce vehicle idling.	<ul style="list-style-type: none"> ▶ TR-2.3.1: Adopt ordinances to limit idling at institutions and businesses to reduce the impacts of vehicle idling on adjacent uses, such as housing, schools, and health care facilities. ▶ TR-2.3.2: Discourage the construction of new drive-throughs in the Metro Specific Plan. ▶ TR-2.3.3: Require all new nonresidential development with loading docks to supply sufficient electrical power for delivery trucks and associated equipment to reduce idling when making deliveries.
TR-2.4: Reduce the amount of parking such that it meets the needs of residents, workers, and visitors in a way that is consistent with the City's sustainability goals.	<ul style="list-style-type: none"> ▶ TR-2.4.1: Revise development standards for multifamily and mixed-use developments to separate parking costs from the cost to rent, purchase, or lease residential and nonresidential buildings. ▶ TR-2.4.2: Revise development standards to eliminate or reduce the minimum parking requirements for new development and redevelopment of nonresidential buildings and mid- to higher-density residential development. ▶ TR-2.4.3: Develop and require parking maximums at new development.
Strategy TR-3: Increase Active and Public Transportation Use	
TR-3.1: Enhance and expand transit facilities and infrastructure.	<ul style="list-style-type: none"> ▶ TR-3.1.1: Implement the Milpitas OnDemand "hub-and-spoke" micro-transit pilot program, including on-demand shuttle service for first- and last-mile connections to existing transit hubs such as the BART station and VTA light rail stops. ▶ TR-3.1.2: Ensure a pedestrian-friendly environment around the Milpitas BART and light rail stations.
TR-3.2: Increase transit ridership.	<ul style="list-style-type: none"> ▶ TR-3.2.1: Work with transit agencies to provide free or subsidized transit to low-income residents, expanding to all residents by 2030. ▶ TR-3.2.2: Improve reliability and convenience of existing transit services through increased frequency, expanded service areas, extended service hours, and better facilities.
TR-3.3: Improve active transportation options.	<ul style="list-style-type: none"> ▶ TR-3.3.1: Require all new development other than single family to provide short-term and long-term bicycle parking facilities to meet peak seasonal maximum demand. ▶ TR-3.3.2: Increase awareness of existing City initiatives to facilitate active transportation, including Bike Paths maps and Suggested Routes to School Program maps. ▶ TR-3.3.3: Require new nonresidential development projects to provide "end-of-trip" facilities for cyclist, including showers, secure bicycle lockers, and changing spaces. ▶ TR-3.3.4: Require new nonresidential development have adequate e-bike and e-scooter infrastructure and options. ▶ TR-3.3.5: Implement the updated Trail, Pedestrian, and Bicycle Master Plan to enhance and expand bicycle and pedestrian infrastructure networks.

Measures	Actions
Strategy SW-1: Achieve Zero Waste	
SW-1.1: Eliminate the disposal of solid waste in landfills.	<ul style="list-style-type: none"> ▶ SW-1.1.1: Require local restaurants to increase food recovery and donate edible food, consistent with SB 1383. ▶ SW-1.1.2: Expand existing organic waste collection routes and drop-off sites to improve composting services for interested residents and businesses. ▶ SW-1.1.3: Implement and enforce the requirements of SB 1383 and eliminate disposal of compostable organic materials to landfills.
SW-1.2: Increase recycling and the diversion of other inorganic solid waste.	<ul style="list-style-type: none"> ▶ SW-1.2.1: Partner with RecycleStuff.org to enhance awareness of local and regional recycling opportunities. ▶ SW-1.2.2: Adopt an ordinance that requires recycling and composting services, the use of only recyclable and compostable materials by vendors, and adequate staff to ensure proper disposal and recycling at events that require a City-issued permit. ▶ SW-1.2.3: Partner with waste haulers to expand the diversion of non-food, non-construction, and non-demolition solid waste.
SW-1.3: Reduce the generation of waste from residents and businesses.	<ul style="list-style-type: none"> ▶ SW-1.3.1: Enforce the City's plastic bag and Styrofoam ban. ▶ SW-1.3.2: Encourage local businesses to reduce the use of single-use, non-biodegradable products, and support the establishment of a regional ordinance that restricts and/or limits the use of these products by local businesses. ▶ SW-1.3.3: Require organizations over 50 employees to implement organization-wide waste reduction initiatives. ▶ SW-1.3.4: Promote responsible consumption of products and materials. ▶ SW-1.3.5: Coordinate with other local jurisdictions and landfills to implement a divertible materials ban (e.g., recyclables) ban at landfills.
SW-1.4: Reduce the generation of construction and demolition waste.	<ul style="list-style-type: none"> ▶ SW-1.4.1: Amend the building demolition permit requirements and adopt a comprehensive construction and demolition ordinance to reach a 75 percent diversion rate.
SW-1.5: Facilitate repair and reuse of consumer products.	<ul style="list-style-type: none"> ▶ SW-1.5.1: Develop a reuse facility that makes building materials available to customers, and acts as an outlet for reusable items otherwise destined for landfill. ▶ SW-1.5.2: Create and support "fix-it clinics" at Parks and Recreation facilities and other City buildings that can build skills among local businesses and residents in innovation, repair, and reuse. ▶ SW-1.5.3: Support Extended Producer Responsibility initiatives that drive end of product life management. ▶ SW-1.5.4: Promote redesign of products so that they do not require end of life disposal, but are incorporated back into useful products.
Strategy OT-1: Shift to Clean and Off-Road Equipment and Vehicles	
OT-1.1: Reduce landscaping-related emissions.	<ul style="list-style-type: none"> ▶ OT-1.1.1: Promote regional and State incentive programs to encourage residents and business owners to convert or replace their fossil fuel-powered gardening equipment, such as lawn mowers, leaf blowers, and edge trimmers with electric versions. ▶ OT-1.1.2: Adopt an ordinance that prohibits the sale of fossil fuel-powered landscaping equipment by 2024 to transition to zero-emission landscaping equipment.

Measures	Actions
	<ul style="list-style-type: none"> ▶ OT-1.1.3: Require all new development to install sufficient exterior electrical outlets to charge electric-powered landscaping equipment.
OT-1.2: Reduce construction-related emissions.	<ul style="list-style-type: none"> ▶ OT-1.2.1: Reduce idling of construction vehicles and equipment. ▶ OT-1.2.2: Prohibit the use of fossil fuel-powered generators at construction sites in all new discretionary projects. ▶ OT-1.2.3: Require all construction projects to use renewable diesel in diesel-powered construction equipment.
Strategy WA-1: Promote Resilient Water Supply, Water Use, and Water Resources	
WA-1.1: Reduce indoor water consumption in buildings.	<ul style="list-style-type: none"> ▶ WA-1.1.1: Increase residential and nonresidential participation in the High Efficiency Clothes Washer Rebate Program and the High Efficiency Toilet Rebate Program by ensuring continued funding to the City's Water Conservation Program, operated in conjunction with resources provided by SCVWD and BAWSCA. ▶ WA-1.1.2: Collaborate with SFPUC and SCVWD to develop a retrofit program to encourage installation of water conservation measures in existing businesses and residences. ▶ WA-1.1.3: Regularly review and update the City's Water Conservation Ordinance and water conservation measures to be consistent with current best management practices and ensure effective and ongoing conservation efforts. ▶ WA-1.1.4: Continue water conservation efforts outlined in the 2021 UWMP. ▶ WA-1.1.5: Require ultra-low-flow fixtures in new residential and nonresidential development. ▶ WA-1.1.6: Continue to assess and manage distribution system losses through efforts including replacing existing meters with smart meters, implementing a SCADA system, replacing selected water pipe with upgraded design criteria to withstand seismic events, and maintaining an active cathodic protection system. ▶ WA-1.1.7: Coordinating with SFPUC and SCVWD, facilitate the development of a water auditing program for existing residential and nonresidential development.
WA-1.2: Reduce water consumption for irrigation and landscaping.	<ul style="list-style-type: none"> ▶ WA-1.2.1: Continue to fund and operate the City's Water Conservation Program in conjunction with resources provided by SCVWD and BAWSCA, including the Irrigated Equipment Upgrades Rebate Program, Landscape Conservation Rebate Program, Water Wise Survey Program, and Water Efficient Gardening workshops. ▶ WA-1.2.2: Increase residential and nonresidential participation in the Landscape Conversion Rebate and Irrigation Equipment Upgrade programs to convert lawns to a healthy habitat with native and drought-tolerant species that use water-efficient irrigation equipment. ▶ WA-1.2.3: Implement and enforce the WELO and the Water Conservation Ordinance. ▶ WA-1.2.4: Require drought-tolerant, water-conserving, and/or native landscaping in new development and redevelopment projects.
WA-1.3: Increase the use of recycled water and support efforts to drought-proof our water supply.	<ul style="list-style-type: none"> ▶ WA-1.3.1: Increase residential and nonresidential participation in the Rainwater Catchment Rebate and Graywater Laundry to Landscape Rebate programs to utilize rainwater and graywater for landscaping and irrigation purposes. ▶ WA-1.3.2: Continue to require all commercial and industrial development south of the Hetch Hetchy right-of-way to install recycled water lines and require conversion of landscape irrigation to recycled water, as feasible.

Measures	Actions
	<ul style="list-style-type: none"> ▶ WA-1.3.3: Support use of recycled water as drought-proof water supply, including potential indirect potable recharge. ▶ WA-1.3.4: Encourage the use of recycled water for industrial uses and landscape irrigation where feasible, within the parameters of State and County health codes and standards and in compliance with regional agency requirements. ▶ WA-1.3.5: Encourage residents and businesses to install onsite recycled water systems (i.e., graywater systems) and rainwater harvesting systems, consistent with all State and County health codes and standards and in compliance with regional water agency requirements. ▶ WA-1.3.6: Require all new residential and nonresidential development to include a separate piping system for recycled water (i.e., "purple pipes") to be used for irrigation and other outdoor water uses, as feasible.
Strategy CS-1: Resilient Infrastructure and Health Forest and Natural Systems	
CS-1.1: Protect native trees and vegetation and enhance carbon sequestration.	<ul style="list-style-type: none"> ▶ CS-1.1.1: Based on the recommendations from the City's Urban Forestry Management Plan, implement a tree planting program to expand the city's urban forest canopy. ▶ CS-1.1.2: Develop and implement a street tree planting program for residential neighborhoods. ▶ CS-1.1.3: Identify high priority areas for civic tree planting activities that provide the greatest benefits to the community and provides urban canopy coverage in areas of the city that are currently underserved by street trees and trees within public spaces. ▶ CS-1.1.4: Make available a list of plants and trees native to the region that are suitable for use in landscaping, consistent with the requirements of Milpitas's WELO. ▶ CS-1.1.5: Update Milpitas's Tree Protection Regulations as specified in the General Plan. ▶ CS-1.1.6: Identify thresholds for new development mitigation for the provision of parks or open space. ▶ CS-1.1.7: Identify natural areas that could be obtained and preserved through land transfers and acquisitions of undeveloped/unprotected private and public lands.
CS-1.2: Reduce the urban heat island effect to conserve energy.	<ul style="list-style-type: none"> ▶ CS-1.2.1: Amend the Zoning Code to create tree planting standards for new and renovated development; require the planting of two trees in single-family development in the front, side, or rear yard as feasible; and create linear landscaping standards for commercial development that identify a minimum number of tree plantings based on linear frontage length. ▶ CS-1.2.2: Require all new development to install cool pavements, plant low-maintenance and drought-tolerant landscaping, and plant shade trees. ▶ CS-1.2.3: Reduce heat gain from surface parking lots in new development for a minimum of 50 percent of the site's hardscape. Develop standards to provide shade from the existing tree canopy or from appropriately selected new trees that complement site characteristics and maximize drought tolerance.
CS-1.3: Increase the use of green infrastructure.	<ul style="list-style-type: none"> ▶ CS-1.3.1: Develop and implement a green infrastructure program for the installation and maintenance of projects and existing public resources, such as the parks system and other open spaces. ▶ CS-1.3.2: Review Capital Improvement Program projects to identify opportunities for green infrastructure. ▶ CS-1.3.3: Develop guidelines for the inclusion of green infrastructure in the design of transportation improvements. ▶ CS-1.3.4: Encourage the use of green roofs on existing and new development.

Measures	Actions
CS-1.4: Increase soil carbon content.	<ul style="list-style-type: none"> ▶ CS-1.4.1: Develop a healthy soil strategy for the city to support urban agriculture, address carbon sequestration, and increase water capture.
CS-1.5: Use low-carbon and carbon sequestering construction materials in new development.	<ul style="list-style-type: none"> ▶ CS-1.5.1: Adopt standards to require the use of pervious paving materials in plazas in addition to the provision of mature landscaping and other strategies that will maximize carbon sequestration. ▶ CS-1.5.2: Require building materials that store carbon (e.g., wood, calcium carbonate-based cementitious substances, synthetic limestone) in all nonresidential construction.
Strategy GE-1: Foster Green and Sustainable Economic Development Opportunities	
GE-1.1: Support and attract clean technology businesses and green jobs in Milpitas.	<ul style="list-style-type: none"> ▶ GE-1.1.1: Partner with local and regional agencies and educational institutions to offer courses/training that prepare students/workers for green jobs, such as the Milpitas Adult School Program, South Bay Consortium for Adult Education, Center for Employment Training in San Jose, and PG&E's on-demand energy trainings. ▶ GE-1.1.2: Develop a Green Business Strategic Plan to support environmentally friendly business development in Milpitas. ▶ GE-1.1.3: Collaborate regionally to conduct outreach and training with local contractors and businesses on electrification. ▶ GE-1.1.4: Explore the feasibility of creating an eco-innovation district – a vibrant, mixed-use neighborhood committed to advancing sustainability, resilience, and equity through targeting a variety of performance areas, such as access and mobility, appropriate development, community health and well-being, energy, water, and materials management.
GE-1.2: Incentivize and promote green business practices.	<ul style="list-style-type: none"> ▶ GE-1.2.1: Promote green tenant and leasing practices for commercial businesses. Examples include the Green Tenant Toolkit developed by the Business Council on Climate Change and San Francisco Environment. ▶ GE-1.2.2: Develop and implement marketing and technical assistance to green businesses, and consider developing incentives such as reduced business license taxes/fees. ▶ GE-1.2.3: In collaboration with SVCE, develop a Clean Energy Pledge for area businesses to bring visibility to those businesses already purchasing carbon-free electricity or pledging to do so in the future.
Strategy GE-2: Support Circular Economy Policies	
GE-2.1: Engage with circular economy and zero waste policymaking at the Federal, State, and local levels.	<ul style="list-style-type: none"> ▶ GE-2.1.1: Support regional and State legislation intended to reduce GHG emissions from waste and virgin materials use and promote recyclability and repairability of products.
Adaptation Strategy 1: Resilient Communities and Equity and Environmental Justice	
1.1: Increase community resilience to impacts from air pollution.	<ul style="list-style-type: none"> ▶ 1.1.1: Develop an outreach program to educate vulnerable communities and residents in general on strategies to protect themselves from air pollution exacerbated by climate change, including impacts from wildfire smoke. ▶ 1.1.2: Establish or support development of community centers and/or other locations indoors for individuals experiencing homelessness or other vulnerable populations to seek refuge during periods of high air pollution. ▶ 1.1.3: Coordinate with partner organizations to communicate measures to protect residents and workers during high ozone and high particulate matter days.

Measures	Actions
1.2: Increase community resilience to respond to and recover from widespread health emergencies.	<ul style="list-style-type: none"> ▶ 1.2.1: Consider the overall preparedness of the community to respond to and recover from widespread health emergencies and develop programs and activities designed to increase resilience and self-sufficiency. ▶ 1.2.2: Partner with the Milpitas Unified School District and other community organizations to develop programs and activities designed to help individuals, families, and community groups prepare for and respond effectively to widespread health emergencies. ▶ 1.2.3: Collaborate with federal, State, regional, and local partners to implement programs to help protect vector and waterborne diseases.
1.3: Protect populations vulnerable to extreme heat.	<ul style="list-style-type: none"> ▶ 1.3.1: Work with City departments to identify specific locations in the city with populations vulnerable to heat-related illness (e.g., elderly populations, high rates of cardiovascular disease). ▶ 1.3.2: Develop a targeted outreach campaign with supporting materials to raise awareness about heat risks. Ensure that extreme heat preparedness and response information is available in the primary non-English languages spoken in the community.
1.4: Increase community awareness of climate change.	<ul style="list-style-type: none"> ▶ 1.4.1: Promote community awareness of climate-resilient actions that can be implemented by homeowners, such as water conservation, on-site water collection, passive solar designs, and alternative energy strategies. ▶ 1.4.2: Collaborate with federal, State, regional, and local partners to develop a communitywide outreach program to educate diverse communities on how to prepare and recover from the various impacts of climate change likely to affect the city.
1.5: Ensure that climate impacts and climate adaptation measures aimed at reducing climate risks to not lead to disproportionately adverse effects on vulnerable populations.	<ul style="list-style-type: none"> ▶ 1.5.1: Identify high priority areas for civic tree planting activities that provide the greatest benefits to the community and provide urban canopy coverage in areas of the city that are currently underserved by street trees and trees within public spaces.
1.6: Improve mobility and ensure basic needs are met for vulnerable populations.	<ul style="list-style-type: none"> ▶ 1.6.1: Consider the needs of vulnerable populations and individuals with limited mobility when planning for access to safe and comfortable shelter during extreme heat events or other severe weather events. ▶ 1.6.2: Encourage and support local transit service providers to increase and expand services for people who are transit-dependent, including seniors, persons with mobility disabilities, and persons without regular access to automobiles by improving connections to regional medical facilities, senior centers, and other support systems that serve residents and businesses. ▶ 1.6.3: Support and encourage the expansion of paratransit and public transit service to neighborhood and regional medical facilities.
1.7: Ensure completeness and availability of emergency supplies and resources to all segments of the population, focusing especially on vulnerable population and individuals.	<ul style="list-style-type: none"> ▶ 1.7.1: Explore opportunities to construct additional community facilities. The facilities should be geographically distributed to accommodate underserved areas of the city and include spaces that can be rented by residents and community groups. ▶ 1.7.2: Encourage services and programs that meet the unique needs of seniors within Milpitas, including the establishment of medical facilities, transportation options for seniors and people with mobility disabilities, senior centers, and programs that provide for in-home care and aging-in-place.

Measures	Actions
	<ul style="list-style-type: none"> ▶ 1.7.3: Support health care facilities and services that assist underserved populations, including minorities, disabled persons, and the homeless community. ▶ 1.7.4: Recognize that not-for-profit health care providers, clinics, and permanent supportive housing provide a valuable resource and appropriate medical care for the community, including vulnerable populations. ▶ 1.7.5: Continue to promote public safety through public education programs, and ensure programs are available and accessible to all segments of the community. ▶ 1.7.6: Coordinate with local homeless services to ensure that emergency shelters are available during extreme heat events, poor air quality, severe weather events, and other highly hazardous conditions. Ensure that the local homeless population is made aware of these resources.
Adaptation Strategy 2: Resilient Transportation Systems and Resilient Energy Resources	
2.1: Integrate climate change considerations in all transportation agency planning and decision-making processes.	<ul style="list-style-type: none"> ▶ 2.1.1: Update maintenance protocols to incorporate projected climate change effects and evaluate the potential for increased frequency or need to maintain transportation infrastructure, specifically from extreme heat and increased frequency of flooding events. ▶ 2.1.2: Use the best available science to update design standards for future development and maintenance of transportation infrastructure and capital improvement projects that incorporate future projections for more intense heat wave events. ▶ 2.1.3: Coordinate with regional transportation agencies to ensure redundancy of critical transportation routes to allow for continued access and movement in the event of an emergency.
2.2: Reduce local flooding impacts to transportation infrastructure.	<ul style="list-style-type: none"> ▶ 2.2.1: Develop guidelines for the inclusion of green infrastructure in the design of transportation improvements. ▶ 2.2.2: Update the City's Streetscape Master Plan to require drought-tolerant plantings consistent with the requirements of Milpitas's WELO and GSI elements such as pervious pavers, bioretention areas, and stormwater tree filters, consistent with the City's GSI Plan.
2.3: Increase the resilience of existing residential and commercial development through energy efficiency upgrades and onsite energy generation and storage.	<ul style="list-style-type: none"> ▶ 2.3.1: Transition all City-owned buildings to use 100 percent renewable sources of electricity and install onsite carbon-free backup power supplies to make City operations grid-independent during PSPS events. ▶ 2.3.2: Promote decentralization of energy supplies and energy storage capacity for residents and businesses to improve energy independence (i.e., microgrids and battery storage).
2.4: Minimize stress on the electrical grid and increase the resilience of existing residential and commercial development through energy efficiency upgrades and onsite energy generation and storage.	<ul style="list-style-type: none"> ▶ 2.4.1: Facilitate the adoption of smart grid and other peak load reduction technologies, such as building energy management systems and smart appliances, within new and existing buildings. ▶ 2.4.2: Encourage distributed energy resources including solar, fuel cells, etc. to provide environmental benefits, as well as energy security, and the support of the grid during peak energy use periods. ▶ 2.4.3: Collaborate with utility providers to ensure that infrastructure and resource management plans account for anticipated climate change impacts.
2.5: Protect critical energy and telecommunications infrastructure and systems from climate change.	<ul style="list-style-type: none"> ▶ 2.5.1: Require that all new power and gas lines and transformers are installed underground where feasible and promote the undergrounding of existing overhead facilities.

Measures	Actions
	<ul style="list-style-type: none"> ▶ 2.5.2: Ensure adequate utility system redundancy and fuel is available to maintain critical facilities during emergency events. ▶ 2.5.3: Require that all new telecommunication lines are installed underground where feasible and promote the undergrounding of existing overhead facilities.
Adaptation Strategy 3: Reduced Flooding	
3.1: Minimize risks to life and property resulting from flooding and flood-induced hazards.	<ul style="list-style-type: none"> ▶ 3.1.1: Invest in the use of pervious pavements and landscaping in developed areas to prevent localized flooding events during small and large storms. ▶ 3.1.2: Continue to maintain good standing and compliance under the National Flood Insurance Program (NFIP). This will be accomplished through implementation of floodplain management programs that will, at a minimum, meet the requirements of NFIP: <ul style="list-style-type: none"> ▶ Enforcement of the Flood Damage Prevention Ordinance ▶ Participate in the floodplain identification and mapping updates ▶ Provide public assistance/information on floodplain requirements and impacts. ▶ 3.1.3: Evaluate and consider increasing the design criteria for current and future flood protection projects from 100-year flood events to higher impact flood events. ▶ 3.1.4: Evaluate the need to increase pump station capacity and provide protection for pump stations.
3.2: Evaluate proposed development in areas of the city subject to flooding impacts caused by rising sea levels.	<ul style="list-style-type: none"> ▶ 3.2.1: Require evaluation of projected inundation for development projects near San Francisco Bay or at flooding risk from local waterways which discharge to San Francisco Bay. For projects affected by increased water levels in San Francisco Bay, the City shall require incorporation of mitigation measures prior to the approval of the project.
3.3: Maintain up-to-date flood risk and hazard data.	<ul style="list-style-type: none"> ▶ 3.3.1: Monitor information from federal, State, and regional agencies on water level rises in San Francisco Bay on an on-going basis. Use this information to determine if additional adaptive management actions are needed and implement those actions to address flooding hazards from increasing sea levels for existing or new development and infrastructure. ▶ 3.3.2: Continuously monitor local and regional efforts to track sea level rise and the associated flood risks. Consider constructing facilities, such as flood walls and additional pump stations, to protect the city from flooding associated with sea level rise.
Adaptation Strategy 4: Robust Emergency Services and Improved Disaster Recovery	
4.1: Ensure that emergency services have adequate capacity to address increased demand due to climate change-related impacts.	<ul style="list-style-type: none"> ▶ 4.1.1: Identify community safety areas and evaluate existing locations that serve as temporary shelters or refuge during hazard events for resilience to future climate impacts. ▶ 4.1.2: Collaborate with federal, State, and regional partners to ensure coordinated evacuation planning and ensure compliance with SB 99 and AB 747 regarding evacuation route capacity and adequate egress points for subdivisions in the city. ▶ 4.1.3: Establish resilience hub locations in neighborhoods throughout the community, equipped with backup power and disaster assistance and supplies. ▶ 4.1.4: Maintain up-to-date emergency preparedness and evacuation plans and procedures in coordination with appropriate State, regional, County, and local agencies and departments.

Measures	Actions
	<ul style="list-style-type: none"> ▶ 4.1.5: Continue to maintain the City's Emergency Operations Center and conduct regular staff training exercises to ensure that all City staff members, in addition to emergency responders, are adequately trained to fulfill their duties in the event of an emergency. ▶ 4.1.6: Conduct ongoing training for first responders and City personnel to ensure they have the necessary training and equipment to deal with climate-exacerbated hazards, including how to better serve vulnerable populations. Improve cultural competency of emergency services personnel in accordance with SB 160 in coordination with Santa Clara County Office of Emergency Management. ▶ 4.1.7: Clearly communicate to the public the City's plans, procedures, and responsibilities in the event of a disaster or emergency. Communications and information made available to the public shall be provided in multiple languages to ensure the greatest number of community members have access to this information. ▶ 4.1.8: Encourage residents to register with the Santa Clara County Emergency Alert System (AlertSCC) to ensure notification in the event of an emergency. ▶ 4.1.9: Develop Disaster Documentation Program to include tracking disasters affecting Milpitas, and tracking via photo damage incurred during and after disaster events. This data can be use for tracking and trending, and ultimately mitigation planning. ▶ 4.1.10: Develop a debris management plan to aid in post-disaster recovery.
4.2: Develop programs to improve efficiency and equity of disaster recovery.	<ul style="list-style-type: none"> ▶ 4.2.1: Encourage residents and community leaders to participate in disaster training programs, such as the "Strategic Actions for Emergencies" (S.A.F.E.) emergency preparedness program and the CERT program. Where feasible, assist in neighborhood drills and safety exercises to increase participation and build community support.

Adaptation Strategy 5: Reduced Urban Heat Island Effect and Resilient Water Resources

5.1: Reduce urban heat island effect through cool roofs, parking lot shading, landscaping, and urban greening in new and existing private and public development.	<ul style="list-style-type: none"> ▶ 5.1.1: Amend the Zoning Code to create tree planting standards for new and renovated development, to require the planting of two trees in single-family development in the front, side, or rear yard as feasible, and to create linear landscaping standards for commercial development that identify a minimum number of tree plantings based on linear frontage length. ▶ 5.1.2: Encourage the inclusion of additional shade trees, vegetated stormwater treatment and landscaping to reduce the "heat island effect" in development projects. ▶ 5.1.3: Encourage the installation or use of cool roof technologies, green roofs, and rooftop gardens in new and existing private and public development. ▶ 5.1.4: Support outreach and education describing benefits of cooling strategies, including promotion of the Cool California website and resources on the City website and at City Hall. ▶ 5.1.5: Reduce heat gain from surface parking lots in new development for a minimum of 50 percent of the site's hardscape. Develop standards to provide shade from the existing tree canopy or from appropriately selected new trees that complement site characteristics and maximize drought tolerance. Where feasible, use open-grid pavement systems (at least 50 percent pervious, which would also satisfy the stormwater Low Impact Development requirement).
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Measures	Actions
	<ul style="list-style-type: none"> ▶ 5.1.6: Update City design standards to use heat-mitigating and heat resistant materials on pedestrian walkways and transit stops. ▶ 5.1.7: Collaborate with the regional transit providers to install cooling technologies/structures/design features at transit stops.
5.2: Advocate for drought-proof water supplies including recycled water systems or indirect potable recharge.	<ul style="list-style-type: none"> ▶ 5.2.1: Work with water utilities to evaluate vulnerabilities of water supply systems and develop strategies to improve resilience. ▶ 5.2.2: Collaborate with federal, State, and local agencies and organizations to identify future water supplies, explore alternative supply sources, and improve capacity. ▶ 5.2.3: When updating master plans for infrastructure, including water supply, flood control and drainage, and critical facilities, review relevant climate change scenarios and ensure that the plans consider the potential effects of climate change and include measures that provide for resilience to climate impacts. ▶ 5.2.4: Develop, implement and manage a new city-wide water rationing and conservation plan, including community outreach and education. This project will begin the conversion of City and private-owned irrigation facilities from potable to recycled water where they are adjacent to recycled water pipelines. ▶ 5.2.5: Continue to require all commercial and industrial development south of the Hetch Hetchy right-of-way to install recycled water lines, and require conversion of landscape irrigation to recycled water as soon as available. ▶ 5.2.6: Aggressively pursue expansions to the treatment and distribution capacity of recycled water supplies and coordinate with the City of San Jose South Bay Water Recycling Program to increase recycled water supplies available to Milpitas.
Adaptation Strategy 6: Integrated Resilience Planning and Improved Biodiversity and Habitat	
6.1: Embed climate resiliency and adaptation across planning efforts.	<ul style="list-style-type: none"> ▶ 6.1.1: Integrate climate resiliency throughout long-term planning and current development projects. ▶ 6.1.2: Participate in regional climate adaptation planning efforts. ▶ 6.1.3: Encourage and support private sector investment in climate adaptation through climate-resilient infrastructure such as onsite renewable energy, integrated stormwater management and water conservation.
6.2: Integrate findings of climate vulnerability assessment into all phases of emergency planning.	<ul style="list-style-type: none"> ▶ 6.2.1: Ensure that emergency response plans and training programs continue to evolve and are modified to incorporate future climate projections in order to protect residents, infrastructure, and facilities during emergencies and extreme weather events.
6.3: Prioritize nature-based solutions to improve resilience while promoting biodiversity.	<ul style="list-style-type: none"> ▶ 6.3.1: Continue the City's Tree Maintenance Program. ▶ 6.3.2: Promote tree health, removal of dead branches and trees that may become a hazard in severe weather, earthquake or a result of drought. ▶ 6.3.3: Prepare and adopt an Urban Forest Management Plan (UFMP) for Milpitas. ▶ 6.3.4: Conserve existing native trees and vegetation where possible and integrate regionally native trees and plant species into development and infrastructure projects where appropriate.

Measures	Actions
	<ul style="list-style-type: none"> ▶ 6.3.5: Work with SCVWD to restrict future fencing, piping and channelization of creeks when flood control and public safety can be achieved through measures that preserve the natural environmental and habitat of riparian corridors; in addition, evaluate opportunities to revert some existing concrete-lined channels to more natural alternatives such as levees. ▶ 6.3.6: Collaborate with the SCVWD to support the priorities and projects of the Safe, Clean Water and Natural Flood Protection Program. Pursue grant funding opportunities from SCVWD to provide funding for water conservation, habitat restoration, and open space projects that increase community resiliency, while improving water quality and increasing flood safety throughout the community. ▶ 6.3.7: Encourage and accommodate multipurpose flood control projects that incorporate recreation, education, resource conservation, preservation of natural riparian habitat, and the scenic value of drainages, creeks, and detention ponds.

Notes: AB = Assembly Bill; BAAQMD = Bay Area Air Quality Management District; BART = Bay Area Rapid Transit; BAWSCA = Bay Area Water Supply and Conservation Agency; BayREN = Bay Area Regional Energy Network; CALGreen = California Green Building Standards; CERT = community emergency response team; EV = electric vehicle; GSI = Green Stormwater Infrastructure; PG&E = Pacific Gas and Electric Company; PPA = power purchase agreement; PSPS = public safety power shutoff; SB = Senate Bill; SCADA = Supervisory Control and Data Acquisition; SCVWD = Santa Clara Valley Water District; SFPUC = San Francisco Public Utilities Commission; SVCE = Silicon Valley Clean Energy; TDM = transportation demand management; UWMP = Urban Water Management Plan; VMT = vehicle miles traveled; VTA = Santa Clara Valley Transportation Authority; WELO= Water Efficient Landscape Ordinance

Source: City of Milpitas 2022.

3 ENVIRONMENTAL CHECKLIST FOR SUPPLEMENTAL ENVIRONMENTAL REVIEW

APPROACH TO ANALYSIS

The General Plan 2040 EIR is a program EIR consistent with the requirements of CEQA. The analysis considers the environmental impacts of policy implementation and development buildout that could occur under the General Plan 2040. As discussed in Section 1, the project is consistent with General Plan 2040 policies and is considered an implementation action of the General Plan 2040. Section 15183 of the State CEQA Guidelines dictates that in circumstances such as these a lead agency “shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Section 15183 further indicates that an initial study or other analyses should be prepared by a lead agency to determine the scope of environmental review in light of this prohibition. The purpose of this process is to streamline the review of covered projects and reduce the need for the preparation of repetitive environmental studies.

Under Section 15183 of the State CEQA Guidelines, a checklist can be used to determine whether the following types of impacts may merit additional environmental analysis:

- ▶ Significant impacts that are peculiar to the project or area in which the project would be located;
- ▶ Significant impacts that were not analyzed in a prior EIR on the zoning action, general plan or community plan with which the project is consistent;
- ▶ Potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
- ▶ Previously identified significant effects which, as a result of substantial new information, were not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Unless an environmental effect satisfies one of these criteria, the lead agency can rely upon its previously certified EIR (State CEQA Guidelines Section 15183[c]).

CHECKLIST FORMAT

The analysis in this addendum remains programmatic; it does not specifically analyze individual projects or actions resulting from implementation of the CAP Update because the details of such projects and actions are not available (e.g., specific location of infrastructure). Each of the following resource-specific subsections begins with a checklist. The purpose of this checklist is to evaluate the categories listed in Section 15183 of the State CEQA Guidelines to determine whether, in light of the General Plan 2040 EIR, there are any significant environmental effects requiring additional environmental analysis. The row titles of the checklist include the full range of environmental topics, as presented in Appendix G of the State CEQA Guidelines. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to PRC Section 21083.3(b) and State CEQA Guidelines Section 15183. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact because it was analyzed in the General Plan 2040 EIR. For instance, the environmental categories might be answered with a “no” in the checklist because the impacts associated with the project were adequately addressed in the General Plan 2040 EIR, and the environmental impact significance conclusions of the General Plan 2040 EIR remain applicable. The purpose of each column of the checklist is described below.

Where Impact was Analyzed?

This column provides a cross-reference to the pages of the General Plan 2040 EIR where information and analysis may be found relative to the environmental issue listed under each topic.

Any Peculiar Impact?

Pursuant to State CEQA Guidelines Sections 15183(b)(1) and 15183(f), this column indicates whether the project could result in a peculiar impact, including a physical change that belongs exclusively or especially to the project or that is a distinctive characteristic of the project, or the project site and that peculiar impact is not substantially mitigated by the imposition of uniformly applied development policies or standards.

Any Impact Not Analyzed as Significant in General Plan 2040 EIR?

Pursuant to State CEQA Guidelines Section 15183(b)(2), this column indicates whether the project would result in a significant effect that was not analyzed as significant in the General Plan 2040 EIR. A new EIR is not required if such a project impact can be substantially mitigated by the imposition of uniformly applied development policies or standards.

Any Significant Off-Site or Cumulative Impact Not Analyzed?

Pursuant to State CEQA Guidelines Section 15183(b)(3), this column indicates whether the project would result in a significant off-site or cumulative impact that was not discussed in the General Plan 2040 EIR. A new EIR is not required if such an off-site or cumulative impact can be substantially mitigated by the imposition of uniformly applied development policies or standards.

Any Adverse Impact More Severe Based on Substantial New Information?

Pursuant to State CEQA Guidelines Section 15183(b)(4), this column indicates whether there is substantial new information that was not known at the time the General Plan 2040 EIR was certified, indicating that there would be a more severe adverse impact than discussed in the General Plan 2040 EIR. A new EIR is not required if such an impact can be substantially mitigated by the imposition of uniformly applied development policies or standards.

Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?

The General Plan 2040 EIR does not include any mitigation measures. This column indicates whether uniformly applied development standards or policies address identified impacts. Where uniformly applied development policies or standards have been adopted by the City, CEQA allows the City to consider implementation of such standards and policies prior to determination of a potentially new or substantially more severe impact. A "yes" response is provided if the impact is addressed by a General Plan policy identified as a minimization measure or uniformly applied development standards or policies. A "no" response indicates that there are no General Plan policies or other standards identified to address this impact. If "NA" is indicated, this Environmental Checklist review concludes that there was no impact, or the impact was less-than-significant without consideration of uniformly applied policies or standards.

Discussion

A discussion of the elements of the checklist is provided under each environmental category to clarify the answers. Where appropriate, updates to the environmental setting are provided.

Mitigation Measures

The General Plan 2040 EIR does not include any mitigation measures. Rather, the EIR concludes that impacts would be mitigated to the greatest extent feasible through General Plan Policies and Actions. This discussion identifies any new mitigation measures necessary to address the potential effects of the proposed CAP Update.

Conclusions

A discussion of the conclusion relating to the need for additional environmental documentation is contained in each section.

3.1 AESTHETICS

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
I. Aesthetics.						
a) Have a substantial adverse effect on a scenic vista?	Impact 3.1-1: General Plan implementation would not have a substantial adverse effect on a scenic vista, pp. 3.1-8-3.1-10	No	No	No	No	Yes
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Impact 3.1-2: General Plan implementation would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway, p. 3.1-11-	No	No	No	No	No
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Impact 3.1-3: Project implementation would not conflict with an applicable zoning or other regulation governing scenic quality within an urbanized area, pp. 3.1-11-3.1-12	No	No	No	No	Yes
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Impact 3.1-4: General Plan implementation could result in the creation of new sources of nighttime lighting and daytime glare, pp. 3.1-12-3.1-3.1-13	No	No	No	No	Yes

3.1.1 Discussion

No substantial change in the environmental and regulatory settings related to aesthetics, described in General Plan 2040 EIR Section 3.1, "Aesthetics," has occurred since the certification of the EIR in March 2021.

The City of Milpitas does not have any designated scenic vistas. Further, there are no officially designated state scenic highways in Milpitas, and no portion of the city encompasses the viewshed of a state scenic highway. The General Plan 2040 EIR disclosed that implementation of the General Plan 2040 would result in new development that could result in changes to the skyline throughout the Planning Area, which may obstruct or interfere with views of visual features surrounding the Planning Area.

The Planning Area is within an urbanized area and subjected to applicable zoning or other regulation governing scenic quality. Zoning and other regulations governing scenic quality applicable to the City of Milpitas include the Design Guidelines and Plan Review Checklist and the City of Milpitas Master Streetscape Master Plan, and Measures I, J, and K. Policies in the General Plan 2040 are intended to complement and further the intent of these provisions regulating scenic quality and resources, and any development occurring under the General Plan 2040 would be subject to compliance with these guidelines, as well as the applicable regulations set forth in the Milpitas Municipal Code. The General Plan 2040 EIR concludes that impacts related to aesthetic resources would be less than significant under project and cumulative conditions.

Implementation of the CAP Update would not result in the potential for adverse effects on a scenic vista or other scenic resources within a state scenic highway because, as discussed in the General Plan 2040, there are no officially designated vistas or highways in the city. Implementation of the CAP Update does not include any development proposals that would directly result in the construction and operation of facilities, including new sources of light or glare. Implementation of the CAP Update could support solar installations (Measure BE-1.1) and additional electric vehicle (EV) charging stations (Measure TR-2.1). These facilities would be constructed within the existing developed conditions of the city and would appear consistent with the existing urban conditions. Further, the development that could be associated with the CAP Update would be limited in nature and generally consistent with the scope of development evaluated in the General Plan 2040 EIR. As described above, subsequent projects would be required to demonstrate consistency with applicable regulations governing scenic quality. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR (3) significant off-site impacts and cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding aesthetics remain valid and no further analysis is required.

Mitigation Measures

No significant aesthetic impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. No new impacts have occurred nor has any new information been found requiring new analysis or verification. The project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.2 AGRICULTURE AND FORESTRY RESOURCES

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
II. Agriculture and Forest Resources.						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Impact 3.2-1: General Plan implementation would not result in the conversion of farmlands, including Prime Farmland and Unique Farmland, to non-agricultural use, p. 3.2-6	No	No	No	No	No
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	Impact 3.2-2: General Plan implementation would not result in conflicts with existing zoning for agricultural use, or a Williamson Act contract, pp. 3.2-6-3.2-7	No	No	No	No	No
c) 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))?	Impact 3.2-3: Result in the loss of forest land or conversion of forest land to non-forest use, p. 3.2-7	No	No	No	No	No
d) Result in the loss of forest land or conversion of forest land to non-forest use?	Combined with impact above	No	No	No	No	No
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Impact 3.2-4: General Plan implementation would not 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, p. 3.2-7	No	No	No	No	No

3.2.1 Discussion

No substantial change in the environmental and regulatory settings related to agriculture and forestry, described in General Plan 2040 EIR Section 3.2, "Agricultural and Forest Resources," has occurred since the certification of the EIR in March 2021.

There are no agricultural lands identified by the California Department of Conservation's Farmland Mapping and Monitoring Program within the Milpitas city limits. Lands located within Santa Clara County and within the Milpitas SOI are identified by the Department of Conservation as grazing lands, and areas identified by the County as farmlands of local importance. There are no lands within the Planning Area that are currently under a Williamson Act contract. The General Plan 2040 EIR concludes that impacts related to agricultural resources would be less than significant under project and cumulative conditions.

There are no forest lands or timber lands located within the Planning Area. Therefore, the General Plan 2040 EIR determined that implementation of the General Plan 2040 would result in no impact relative to this topic under project and cumulative conditions.

Implementation of the CAP Update could result in limited construction within the city. This new and expanded infrastructure would support existing urban development and would not result in the potential to convert Farmland to non-agricultural use. As described in the General Plan 2040 EIR, there are no designated agricultural lands, lands zoned for exclusive agricultural use, lands under Williamson Act Contract, or forest lands within the city. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding agricultural and forestry resources remain valid and no further analysis is required.

Mitigation Measures

No significant agricultural impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

The proposed CAP Update would not result in any new or substantially more severe impacts, or cumulatively considerable impacts than described in the General Plan 2040 EIR. The findings of the General Plan 2040 EIR remain valid and no further analysis is required.

3.3 AIR QUALITY

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
III. Air Quality.						
Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	Impact 3.3-1: General Plan implementation would not conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants, pp. 3.3-21-3.3-34	No	No	No	No	Yes
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Combined with impact above	No	No	No	No	Yes
c) Expose sensitive receptors to substantial pollutant concentrations?	Impact 3.3-2: General Plan implementation would expose sensitive receptors to substantial pollutant concentrations, pp. 3.3-34-3.3-37	No	No	No	No	Yes
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Impact 3.3-3: General Plan implementation would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people), pp. 3.3-37-3.3-59	No	No	No	No	Yes

3.3.1 Discussion

Air quality is discussed in Section 3.3, "Air Quality," of the General Plan 2040 EIR. No substantial change in the environmental setting related to air quality has occurred since certification of the General Plan 2040 EIR.

The General Plan 2040 EIR indicates that Santa Clara County has a designation of nonattainment for ozone, respirable particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}) and is either unclassified or in attainment for all other criteria pollutants with regards to the California ambient air quality standards. Santa Clara County has a designation of nonattainment for ozone and PM_{2.5} and is either unclassified or in attainment for all other criteria pollutants with

regards to the national ambient air quality standards. The General Plan 2040 EIR evaluates the General Plan's consistency with BAAQMD's 2017 Clean Air Plan.

The General Plan includes numerous policies and actions intended to improve air quality that are consistent with the control measures included in BAAQMD's 2017 Clean Air Plan by promoting a compact urban development form, emphasizing infill development, and ensuring land use patterns do not expose sensitive receptors to pollutant concentrations. The implementation of the General Plan policies and actions, as well as Federal and State regulations, would address the potential for future development to result in impacts to air quality. The General Plan 2040 EIR concludes that impacts related to air quality would be less than significant under project and cumulative conditions.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. The physical improvements anticipated to occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements, public services expansions, and building upgrades evaluated in the General Plan 2040 EIR and would occur within the City's Planning Area. For example, implementation of the CAP Update would support future EV infrastructure (Measure TR-2.1 and Action MVF-1.1.1), transit access improvements (Measure TR-3.1), and building retrofits (Measure BE-2.4). Potential impacts to air quality resulting from projects under the CAP Update would be consistent with impacts described in the General Plan 2040 EIR. In addition, implementation of the CAP Update would reduce emissions of toxic air contaminants and criteria air pollutants and precursors associated with off-road equipment and on-road vehicle use. These include CAP Update measures and associated actions that would reduce use of diesel-powered engines (i.e., Policy BE-2.4 and Action BE-2.4.4 to eliminate the provision of fossil fuel-powered backup generator permits for existing nonresidential development by 2030, Policy TR-2.2 to increase EV vehicle adoption, Policy OT-1.1 to reduce emissions from landscaping equipment, and Policy OT-1.2 to reduce emissions from construction equipment). All measures included in the CAP Update have co-benefits identified and many of the measures have multiple benefits, including improved air quality. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding air quality remain valid and no further analysis is required.

Mitigation Measures

No significant air quality impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and approval of the project would not require additional environmental review.

3.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
IV. Biological Resources.						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	Impact 3.4-1: General Plan implementation could 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 Wildlife or U.S. Fish and Wildlife Service, pp. 3.4-25-3.4-30	No	No	No	No	Yes
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	Impact 3.4-2: General Plan implementation could 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 Wildlife or U.S. Fish and Wildlife Service, pp. 3.4-30-3.4-33	No	No	No	No	Yes
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Impact 3.4-3: General Plan implementation could have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, pp. 3.4-33-3.4-36	No	No	No	No	Yes
d) Interfere substantially with the movement of any native resident or migratory fish or	Impact 3.4-4: General Plan implementation would not interfere substantially with the	No	No	No	No	Yes

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, pp. 3.4-36-3.4-39					
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Impact 3.4-5: The General Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, p. 3.4-39	No	No	No	No	No
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Impact 3.4-6: General Plan implementation would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan, pp. 3.4-39-3.4-46	No	No	No	No	Yes

3.4.1 Discussion

Biological resources are discussed in Section 3.4, "Biological Resources," of the General Plan 2040 EIR. No substantial change in the environmental setting related to biological resources has occurred since certification of the General Plan 2040 EIR.

The General Plan 2040 EIR indicates that the City of Milpitas contains numerous aquatic habitats that qualify as sensitive habitat and may serve as migratory wildlife corridors. The Planning Area also includes wetlands in the northwest corner of the Planning Area adjacent to Coyote Creek and Interstate 880 north of Penitencia Creek. The General Plan 2040 EIR evaluates the potential for future development to result in impacts to protected special status plants and animals and their habitat.

The General Plan 2040 includes numerous policies and actions intended to protect sensitive natural communities, including riparian habitat, wetlands, and waters of the US, from adverse effects associated with future development and improvement projects. Although subsequent projects may disturb protected wetlands and/or jurisdictional waters, the regulatory process that is established through Section 404 of the CWA ensures that there is "no net loss" of wetlands or jurisdictional waters. The implementation of the General Plan 2040 policies and actions, as well as Federal and State regulations, would address the potential for future development to result in impacts to biological

resources. The General Plan 2040 EIR concludes that impacts related to biological resources would be less than significant under project and cumulative conditions.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. The physical improvements anticipated to occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements, public services expansions, and building upgrades evaluated in the General Plan 2040 EIR and would occur within the City's Planning Area. For example, implementation of the CAP Update would support future EV infrastructure (Measure TR-2.1 and Action MVF-1.1.1), transit access improvements (Measure TR-3.1), and building retrofits (Measure BE-2.4). Further, proposed CAP Update would not re-designate any land currently designated for open space or habitat protection. Though Milpitas is not a permittee of the Santa Clara Valley Habitat Plan, future projects would be required to comply with the Santa Clara Valley Habitat Conservation Plan through the implementation of Action CON-3a. Potential impacts on biological resources resulting from projects under the CAP Update would be consistent with impacts described in the General Plan 2040 EIR. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding special-status species remain valid and no further analysis is required.

Mitigation Measures

No significant biological resource impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and approval of the project would not require additional environmental review.

3.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
V. Cultural Resources.						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	Impact 3.5-1: General Plan implementation could cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Section 15064.5, pp. 3.5-14-3.5-17	No	No	No	No	Yes
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Combined with impact above					
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	Impact 3.5-2: Implementation of the General Plan could lead to the disturbance of any human remains, pp. 3.5-17-3.5-18	No	No	No	No	Yes

3.5.1 Discussion

Cultural resources are discussed in Section 3.5, "Cultural Resources," of the General Plan 2040 EIR. No substantial change in the environmental setting related to cultural resources has occurred since certification of the General Plan 2040 EIR.

As discussed in the General Plan 2040 EIR, known historic resource sites are located throughout the Planning Area and there is potential for additional undiscovered prehistoric sites to be located in various areas of the city as well. In addition, excavation and construction activities allowed under the General Plan may yield human remains that may not be marked in formal burials. The General Plan 2040 EIR indicates that future development and infrastructure projects considered by the City will be evaluated for conformance with the City's General Plan 2040, Municipal Code, and other applicable State and local regulations.

The General Plan 2040 includes policies and actions that would reduce impacts to cultural, historic, and archaeological resources, as well as policies and actions for the conservation of cultural, historic, and archaeological resources. Specifically, General Plan 2040 policies require development projects with a potential to impact archeological resources to be monitored by a relevant expert. In the event of a resource discovery, it is required that all ground disturbing activities and construction to be halted until a qualified expert is able to analyze the project site and determine appropriate mitigation. Additionally, the General Plan 2040 requires consultation with tribes that may

be impacted by proposed development, in accordance with state, local, and tribal intergovernmental consultation requirements. The General Plan 2040 EIR concludes that impacts related to cultural resources would be less than significant under project and cumulative conditions.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. The physical improvements anticipated to occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements, public services expansions, and building upgrades evaluated in the General Plan 2040 EIR and would occur within the City's Planning Area. For example, implementation of the CAP Update would support future EV infrastructure (Measure TR-2.1 and Action MVF-1.1.1); innovative approaches to energy generation, distribution, and storage (Measure BE-1.2); and building retrofits (Measure BE-2.4). Infrastructure upgrades could result in ground disturbance within the Planning Area that is consistent with the types of disturbance and potential to encounter cultural resources evaluated in the General Plan 2040 EIR. Building retrofits could affect historic resources.

As described in the General Plan 2040 EIR, future discretionary projects would be subject to environmental review under CEQA, which may include project-level records review and analysis, and would result in identification of necessary avoidance or mitigation measures to reduce potential impacts. Compliance with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 would provide an opportunity to avoid or minimize the disturbance of human remains, and to appropriately treat any remains that are discovered. The General Plan includes policies and actions that would reduce impacts to cultural, historic, and archaeological resources, as well as policies and actions for the conservation of cultural, historic, and archaeological resources. Specifically, Policy CON 4-1 requires database review to evaluate the potential for presence of known archaeological resources and Policy CON 5-1 requires implementation of the Milpitas Cultural Resources Preservation Program and the Conceptual Historic Resources Master Plan. Potential impacts on cultural resources resulting from projects under the CAP Update would be consistent with impacts described in the General Plan 2040 EIR. The project would have (1) no peculiar impacts, (2) no significant impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts and cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and no further analyses is required.

Mitigation Measures

No significant cultural resource impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

The proposed CAP Update would not result in any new or substantially more severe impacts, or cumulatively considerable impacts, than described in the General Plan 2040 EIR. Therefore, findings of the General Plan 2040 EIR remain valid and no further analysis is required.

3.6 ENERGY

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
VI. Energy.						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Impact 3.7-3: General Plan implementation has the potential to result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency, pp. 3.7-36-3.7-40	No	No	No	No	Yes
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Combined with above impact	No	No	No	No	Yes

3.6.1 Discussion

Energy resources are discussed in Section 3.7, "Greenhouse Gases, Climate Change, and Energy," of the General Plan 2040 EIR. No substantial change in the environmental setting related to energy resources has occurred since certification of the General Plan 2040 EIR.

The General Plan 2040 EIR evaluates the potential for future development to result in impacts to energy use due to wasteful, inefficient, or unnecessary consumption of energy resources. The General Plan 2040 includes numerous policies and actions intended to conserve energy resources. The implementation of the General Plan 2040 policies and actions, as well as Federal and State regulations, would address the potential for future development to result in impacts to energy resources. The General Plan 2040 EIR concludes that impacts related to energy resources would be less than significant under project and cumulative conditions.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. The CAP Update includes measures and actions that seek to increase energy independence and decrease reliance on the electrical grid. Measure BE-1.2 specifies ways in which the City can facilitate innovative approaches to energy generation, distribution, and storage (e.g., microgrids). The increase of onsite energy generation paired with battery storage systems reduces wasteful and unnecessary energy consumption. Measures BE-1.3, BE-2.4, BE-2.5, and BE-2.6 seek to improve energy efficiency through retrofits, enhanced community awareness, and reduced plug loads, all of which reduce inefficiency energy consumption. Potential impacts on energy resources resulting from projects under the CAP Update would be consistent with impacts described in the General Plan 2040 EIR. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more

severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding energy resources remain valid and no further analysis is required.

Mitigation Measures

No significant energy impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and approval of the project would not require additional environmental review.

3.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
VII. Geology and Soils.						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Impact 3.6-1: General Plan implementation has the potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides, pp. 3.6-21-3.6-24	No	No	No	No	Yes
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault	Combined with impact above					
ii) Strong seismic ground shaking?	Combined with impact above					
iii) Seismic-related ground failure, including liquefaction?	Combined with impact above					
iv) Landslides?	Combined with impact above					
b) Result in substantial soil erosion or the loss of topsoil?	Impact 3.6-2: General Plan implementation has the potential to result in substantial soil erosion or the loss of topsoil, p. 3.6-24	No	No	No	No	Yes
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-	Impact 3.6-3: General Plan implementation has the potential to result in development located on a geologic unit or soil that is	No	No	No	No	Yes

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, pp. 3.6-25-3.6-26					
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	Impact 3.6-4: General Plan implementation has the potential to result in development on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property, pp. 3.6-27-3.6-28	No	No	No	No	Yes
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Impact 3.6-5: General Plan implementation does not have the potential to have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, p. 3.6-28	No	No	No	No	No
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Impact 3.6-6: General Plan implementation has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, pp. 3.6-28-3.6-39	No	No	No	No	Yes

3.7.1 Discussion

No substantial change in the environmental and regulatory settings related to geology, soils, or paleontological resources, described in the General Plan 2040 EIR Section 3.6, "Geology and Soils," has occurred since certification of the General Plan 2040 EIR. The setting information described in the General Plan 2040 EIR remains applicable for this analysis.

As described in the General Plan 2040 EIR, there are known, active faults within the city, including the Hayward Fault Zone and the Alquist-Priolo Earthquake Fault Zone established by the California Geological Survey. All projects would be required to comply with the provisions of the California Building Standards Code (CBSC), which requires development projects to: perform geotechnical investigations in accordance with State law, engineer improvements to address potential seismic and ground failure issues, and use earthquake-resistant construction techniques to address potential earthquake loads when constructing buildings and improvements. The General Plan 2040 would also allow development and improvement projects that would involve some land clearing, grading, and other ground-disturbing activities that could temporarily increase soil erosion rates during and shortly after project construction. Construction-related erosion could result in the loss of a substantial amount of nonrenewable topsoil and could adversely affect water quality in nearby surface waters.

As described in the General Plan 2040 EIR, unstable geologic units could be present within the Planning Area. The potential impacts of such unstable materials could include subsidence and seismically induced liquefaction, especially in areas that adjoin Coyote Creek. The General Plan 2040 EIR also discloses the presence of expansive soils in the city and evaluates the potential for direct or indirect risks to life or property. Finally, ground-disturbing construction associated with development allowed under the General Plan could uncover previously unknown fossils of potential scientific significance and other unique geologic features.

As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the CBSC, General Plan 2040, Zoning Ordinance, and other applicable regulations. Future development and improvement projects would be required to have a specific geotechnical study prepared and incorporated into the improvement design, consistent with the requirements of the State and City codes. In addition to the requirements associated with the CBSC and the Municipal Code, the General Plan 2040 includes policies and actions to ensure that development projects address potential geologic hazards, at-risk buildings and infrastructure is evaluated for potential risks, and site-specific studies are completed for area subject to liquefaction. Further, the Regional Water Quality Control Board requires a project-specific Storm Water Pollution Prevention Plan (SWPPP) to be prepared for each project that disturbs an area of 1 acre or larger. The SWPPPs include project-specific best management measures that are designed to control drainage and erosion. The General Plan 2040 EIR concludes that impacts related to geology and soils would be less than significant under project and cumulative conditions.

Implementation of the CAP Update would result in limited potential for ground disturbance. The physical improvements anticipated to occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements, public services expansions, and building upgrades evaluated in the General Plan 2040 EIR. For example, implementation of the CAP Update would support future EV infrastructure (Measure TR-2.1 and Action MVF-1.1.1), transit access improvements (Measure TR-3.1), and building retrofits (Measure BE-2.4). The measures in the proposed CAP Update would not generally result in the construction of structures on expansive soils that would create risks to life and property. Projects would consist of targeted infrastructure improvements and upgrade to existing structures to improve energy efficiency. As disclosed in the General Plan 2040 EIR, subsequent projects subject to the City's discretionary review will be evaluated for conformance with the CBSC, General Plan 2040, Zoning Ordinance, and other regulations, including any site-specific SWPPP. The CAP Update does not include development proposals that would require the use of septic systems. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding geology and soils remain valid and no further analysis is required.

Mitigation Measures

No significant geological or soil impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.7 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
VIII. Greenhouse Gas Emissions.						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Impact 3.7-1: General Plan implementation has the potential to generate GHG emissions that could have a significant impact on the environment, pp. 3.7-20-3.7-34	No	No	No	No	Yes
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Impact 3.7-2: General Plan implementation has the potential to conflict with adopted plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions, pp. 3.7-35-3.7-36	No	No	No	No	Yes

3.7.1 Discussion

GHG emissions and climate change are discussed in Section 3.7, "Greenhouse Gases, Climate Change, and Energy," of the General Plan 2040 EIR. No substantial change in the environmental setting related to energy resources has occurred since certification of the General Plan 2040 EIR, however, there have been several new or updated GHG executive orders, plans, policies, or regulations issued since the certification of the General Plan 2040 EIR. The following regulations are applicable in addition to those provided in the General Plan 2040 EIR.

REGULATORY SETTING

State

Climate Change Scoping Plan

The Draft 2022 Scoping Plan lays out the framework for achieving the statewide carbon neutrality goal no later than 2045, as identified in EO B-55-18 (CARB 2022). The Draft 2022 Scoping Plan also identifies how GHGs associated with proposed projects could be evaluated under CEQA (CARB 2022:220-221). Specifically, it states that when a lead agency determines a proposed project would emit significant GHG emissions or conflict with state climate goals, lead agencies must impose feasible design features and mitigation measures to minimize the impact.

The 2022 Scoping Plan also describes an approach for detailed and adequately supported GHG reduction plans (including CAPs) to become a tool for streamlining project-level environmental review (CARB 2022:218-220). Under CEQA, individual projects that comply with the strategies and actions within an adequate local CAP can streamline the project-specific GHG analysis.

Building Efficiency Standards

The energy consumption of new residential and nonresidential buildings in California is regulated by CCR Title 24, Part 6, Building Energy Efficiency Standards (California Energy Code). The California Energy Commission updates the California Energy Code every 3 years with more stringent design requirements for reduced energy consumption, which results in the generation of fewer GHG emissions. The 2022 Building Energy Efficiency Standards, which were adopted on August 11, 2021, will go into effect starting January 1, 2023. The 2022 California Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, among other requirements (CEC 2022).

Local

Bay Area Air Quality Management District

BAAQMD updated its thresholds of significance for climate impacts in April 2022. BAAQMD recommends that cities and counties evaluate plans (which includes general plans and CAPs) “based on whether they will be consistent with California’s long-term climate goal of achieving carbon neutrality by 2045. To be consistent with this goal, these plans should reduce GHG emissions in the relevant jurisdiction to meet an interim milestone of 40 percent below the 1990 emission level by 2030, consistent with SB 32, and to support the State’s goal of carbon neutrality by 2045” (BAAQMD 2022:3).

EVALUATION OF CAP UPDATE

The General Plan 2040 EIR evaluates the potential for future development to result in impacts to climate change through the generation of significant GHG emissions or to hinder the ability of achieving adopted GHG reduction plans, policies, or regulation. The General Plan 2040 includes Action CON-1a, which calls for the update to the City’s CAP. This action states that the City’s update to the CAP should align the City’s GHG reduction targets with the State-mandated GHG reduction targets for 2030. As shown in Table 2-2, the measures included in the CAP Update will meet the City’s 2030 target, which is aligned with SB 32. The implementation of the General Plan 2040 policies and actions, as well as Federal and State regulations, would address the potential for future development to result in impacts to climate change. The General Plan 2040 EIR concludes that impacts related to climate change would be less than significant under project and cumulative conditions.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. As described above, the CAP Update identifies a specific policy framework that would serve as an extension of the General Plan by establishing citywide measures and actions intended to reduce GHG emissions associated with buildout of the General Plan 2040. Through implementation of the proposed CAP Update, the City would achieve consistency with the State and local regulations adopted for the purpose of reducing GHG emissions since certification of the General Plan 2040 EIR. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding energy resources remain valid and no further analysis is required.

Mitigation Measures

No significant climate change impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and approval of the project would not require additional environmental review.

3.8 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
IX. Hazards and Hazardous Materials.						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Impact 3.8-1: General Plan implementation has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, pp. 3.8-27-3.8-29	No	No	No	No	Yes
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	Combined with impact above					
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Impact 3.8-2: General Plan implementation has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, pp. 3.8-30-3.8-33	No	No	No	No	Yes
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Impact 3.8-3: General Plan implementation has the potential to have projects located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, pp. 3.8-33-3.8-34	No	No	No	No	Yes

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Impact 3.8-4: General Plan implementation is not located within an airport land use plan, two miles of a public airport or public use airport, and would not result in a safety hazard for people residing or working in the project area, pp. 3.8-34-3.8-35	No	No	No	No	No
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Impact 3.8-5: General Plan implementation has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, pp. 3.8-35-3.8-37	No	No	No	No	Yes
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	Impact 3.8-6: General Plan implementation has the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, pp. 3.8-37-3.8-41	No	No	No	No	Yes

3.8.1 Discussion

No substantial change in the environmental and regulatory settings related to hazards and hazardous materials, described in General Plan 2040 EIR Chapter 3.8, "Hazards and Hazardous Materials," has occurred since certification of the General Plan 2040 EIR.

The General Plan 2040 EIR discusses the potential for accidental release of hazardous materials that are used in the construction or operation of a project. There is also the potential for accidental release of pre-existing hazardous materials associated with previous activities on a site. The use, transport, and disposal of hazardous materials is regulated and monitored by local fire departments, Certified Unified Program Agencies, the California Division of Occupational Safety and Health and the California Department of Toxic Substances Control consistent with the requirements of Federal, State, and local regulations and policies. Facilities that store hazardous materials onsite are required to maintain a Hazardous Materials Business Plan in accordance with State regulations. In the event of an accidental release of hazardous materials, the local Certified Unified Program Agency and emergency management agencies (e.g., police and fire) would respond. All future projects allowed under the General Plan 2040 would be required to comply with the provisions of Federal, State, and local requirements related to hazardous materials. Hazardous materials regulations related to the use, handling, and transport of hazardous materials are codified in Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the California Health and

Safety Code. These laws were established at the state level to ensure compliance with federal regulations to reduce the risk to human health and the environment from the routine use of hazardous substances. These regulations must be implemented by employers/businesses, as appropriate, and are monitored by the state (e.g., California Division of Occupational Safety and Health in the workplace or the California Department of Toxic Substances Control for hazardous waste) and/or the County. The haulers and users of hazardous materials are listed with the Santa Clara County Fire Department and are regulated and monitored by the Santa Clara County. The City's General Plan 2040 also requires projects that may result in significant risks associated with hazardous materials to include measures to address and reduce the risks to an acceptable level such that surrounding uses are not exposed to hazardous materials in excess of adopted state and federal standards, and also requires the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to the Santa Clara County Fire Department. Federal and State regulations ensure that existing hazards, including those associated with known hazardous materials sites, are addressed prior to development.

The General Plan 2040 ensures that the City's emergency access routes, emergency contact lists, and public information regarding designated facilities and routes are regularly reviewed to ensure that up to date information is available to the City and the public in the event of an emergency. The General Plan 2040 includes requirements for adequate water supply and water flow availability, ensuring adequate emergency access, adequate fire protection services, fire safe design site standards, and ensuring public awareness regarding fire safety. All future projects allowed under the General Plan 2040 would be required to comply with the provisions of Federal, State, and local requirements related to wildland fire hazards, including State fire safety regulations associated with wildland-urban interfaces, fire-safe building standards, and defensible space requirements. As future development and infrastructure projects are considered by the City, each project would be evaluated for potential impacts, specific to the project, associated with wildland fire hazards as required under CEQA. There are no airport facilities located within the Planning Area. The General Plan 2040 EIR concludes that impacts related to hazards and hazardous materials would be less than significant under project and cumulative conditions.

The CAP Update does not include policies or actions that would substantially increase the use, transport, or disposal of hazardous materials in the city. Further, policies and actions in the CAP Update would not result in projects with the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The CAP Update does not include policies that would increase the potential for fire, such that there would be potential to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. As described in the General Plan 2040 EIR, weather is a key factor in the potential for wildfires. Through reduction of GHG emissions, the CAP Update would limit the City's contribution to global climate change and the potential for wildfires. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding hazards and hazardous materials remain valid and no further analysis is required.

Mitigation Measures

No significant hazards or hazardous material impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any new potentially significant impacts or cumulative impacts and there is no new information available that was not known and could not have been known at the time the General Plan 2040 EIR was certified as complete. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.9 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
X. Hydrology and Water Quality.						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Impact 3.9-1: General Plan implementation could violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality or obstruct implementation of a water quality control plan, pp. 3.9-21-3.9-27	No	No	No	No	Yes
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Impact 3.9-2: General Plan implementation could result in the depletion of groundwater supplies or interfere substantially with groundwater recharge or conflict with a groundwater management plan, pp. 3.9-27-3.9-34	No	No	No	No	No
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	Impact 3.9-3: General Plan implementation could alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, impeded flows, or polluted runoff, pp. 3.9-34-3.9-37	No	No	No	No	Yes
i) Result in substantial on- or offsite erosion or siltation;	Combined with impact above					
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	Combined with impact above					

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Combined with impact above					
iv) Impede or redirect flood flows?	Combined with impact above					
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Impact 3.9-4: General Plan implementation would not release pollutants due to project inundation by flood hazard, tsunami, or seiche, pp. 3.9-38-3.9-43	No	No	No	No	Yes
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Combined with b) above					

3.9.1 Discussion

No substantial change in the environmental and regulatory settings related to hydrology and water quality, described in General Plan 2040 EIR Chapter 3.9, "Hydrology and Water Quality," has occurred since certification of the General Plan 2040 EIR since the certification of the EIR in March 2021.

As evaluated in the General Plan 2040 EIR, grading, excavation, and removal of vegetation cover associated with future construction activities could temporarily increase runoff, erosion, and sedimentation. Compliance with existing City and County construction and stormwater management codes and the Stormwater Master Plan would reduce these potential impacts related to stormwater quality. In addition, prior to the issuance of grading permits, each site developed under the General Plan 2040 would be required to submit a SWPPP and Stormwater Master Plan to the City for approval. The General Plan 2040 EIR concludes that the provisions of the Clean Water Act, which require preparation of a SWPPP where more than 1 acre of ground disturbance would occur, would address the potential for future development to violate water quality standards or waste discharge requirements, or otherwise obstruct implementation of a water quality control plan.

Once constructed, new development and infrastructure projects that result from implementation of the General Plan 2040 could increase the amount of impervious surfaces throughout Milpitas. Future increases in impervious surfaces could result in increased urban runoff, pollutants, and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscaped areas. Chapter X-16 of the City's Municipal Code provides regulations and gives legal effect to certain requirements of the Waste Discharge Requirements and National Pollutant Discharge

Elimination System permit for the discharge of stormwater runoff from the City's municipal separate storm sewer (MS4), issued by the California Regional Water Quality Control Board, San Francisco Region to the City of Milpitas.

Milpitas is located in the Santa Clara Plain groundwater management area of the Santa Clara Subbasin. Potable water is purchased from two wholesalers, the San Francisco Public Utilities Commission (SFPUC) and the Santa Clara Valley Water District (SCVWD), which have sufficient water supply water to meet anticipated demand from General Plan 2040 buildout. The SCVWD actively monitors groundwater elevations to evaluate current groundwater conditions and land subsidence, optimize recharge efforts, access groundwater storage, and support groundwater management efforts. No SCVWD recharge ponds/facilities or instream recharge areas exist within the Planning Area boundaries.

Finally, the city is not at significant risk from a dam failure. Limited, isolated damage to adjacent and down-slope structures has been observed from seiches occurring in swimming pools and in small shallow lakes and ponds. Man-made lakes within the Planning Area are shallow with limited surface areas and would not generate devastating seiches. The City of Milpitas is not within a tsunami hazard area and would not be subject to substantial impacts from seiche events. The General Plan 2040 EIR concludes that impacts related to hydrology and water quality would be less than significant under project and cumulative conditions.

Construction required to implement the CAP Update could result in erosion and grading. All construction would occur within the Planning Area for the General Plan 2040 and would be subject to the requirements of State regulations (e.g., the Clean Water Act) and uniformly applied policies adopted through the General Plan. Implementation of the CAP Update would not substantially increase water demand or impervious surfaces in a manner that would interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Implementation of the CAP Update would not result in new or expanded impervious surfaces that could impair groundwater recharge or substantially alter the existing drainage pattern. In addition, the CAP Update does not propose measures that could increase the presence of pollutants within flood hazard zones. In fact, Climate Adaptation Strategy 3 and associated Measures (3.1 through 3.3) are intended to reduce the impacts of flooding in the city. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding hydrology and water quality remain valid and no further analysis is required.

Mitigation Measures

No significant hydrology or water quality impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.10 LAND USE AND PLANNING

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
XI. Land Use and Planning.						
a) Physically divide an established community?	Impact 3.10-1: General Plan implementation would not physically divide an established community, pp. 3.10-15-3.10-16	No	No	No	No	Yes
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Impact 3.10-2: General Plan implementation would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, pp. 3.10-17-3.10-20	No	No	No	No	Yes

3.10.1 Discussion

No substantial change in the environmental or regulatory setting related to land use and planning has occurred since certification of the General Plan 2040 EIR. The conditions described in Section 3.10, "Land Use Planning and Population/Housing," of the General Plan 2040 EIR remain applicable to the following analysis.

As set forth by State law, the General Plan 2040 serves as the primary planning document for the City and subordinate documents and plans, such as the CAP Update, would be updated to be consistent with the General Plan 2040. As described in Section 3.10, "Land Use Planning and Population/Housing," of the General Plan 2040 EIR, the General Plan 2040 does not include any new areas designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities. General Plan 2040 policies would ensure that future development is compatible with adjacent communities and land issues. The General Plan 2040 EIR concludes that impacts related to land use would be less than significant under project and cumulative conditions.

The CAP Update would not result in physical changes to the environment, including new infrastructure, with the potential to physically divide an established community. The CAP Update implements the provisions of the General Plan 2040, specifically fulfilling the City's obligation pursuant to General Plan Action CON-1a, which required the City to update the City's CAP to achieve the GHG reduction targets for 2030 and 2050. Through Measure TR-1.3, the City would continue to implement and adopt policies that support high-density, mixed-use, and transit-oriented development and housing near jobs. These projects would be subject to a determination of compatibility with the land use policies and actions outlined in the General Plan 2040 EIR. Subsequent development and infrastructure projects would be required to be consistent with all applicable policies, standards, and regulations, including those land use plans, policies, and regulations adopted to mitigate environmental effects by the City as well as those adopted by agencies with jurisdiction over components of future development projects. Therefore, the project would

have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding land use remain valid and no further analysis is required.

Mitigation Measures

No significant land use or planning impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. No new impacts have occurred nor has any new information been found requiring new analysis or verification. The project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.11 MINERAL RESOURCES

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
XII. Mineral Resources.						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Impact 3.11-1: General Plan implementation would not 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, p. 3.11-4	No	No	No	No	No
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	Impact 3.11-2: General Plan implementation would not 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, p. 3.11-5	No	No	No	No	No

3.11.1 Discussion

No substantial change in the environmental and regulatory settings related to mineral resources, described in the General Plan 2040 EIR Section 3.11, "Mineral Resources," has occurred since certification of the General Plan 2040 EIR.

As described in the General Plan 2040 EIR, the Planning Area contains four areas identified by the State Geologist as containing Regionally Significant Construction Aggregate Resources. These areas, located in the foothills outside of the City limits, are part of the South San Francisco Bay Production-Consumption Region and contain sandstone deposits. All the areas are being quarried. Implementation of the General Plan 2040 would not result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, because the proposed General Plan does not re-designate any new lands for urban development within the hillside areas within the SOI east of the city limits. The General Plan 2040 EIR concludes that impacts related to mineral resources would be less than significant under project and cumulative conditions.

Similarly, the CAP Update would not change the land use designations within the hillside areas of the SOI. No components of the CAP Update would result in the loss of availability of a known mineral resource. In addition, the CAP Update would not amend, revise, or be inconsistent with any existing regulations related to mineral resources. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. Therefore, the findings of the certified General Plan 2040 EIR regarding mineral resources remain valid and no further analysis is required.

Mitigation Measures

No significant mineral resource impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. No new impacts have occurred nor has any new information been found requiring new analysis or verification. The project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.12 NOISE

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
XIII. Noise.						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	<p>Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources, pp. 3.12-22-3.12-27</p> <p>Impact 3.12-2: General Plan Implementation may result in exposure to excessive railroad noise sources, pp. 3.12-27-3.12-28</p> <p>Impact 3.12-3: Implementation of General Plan could result in the generation of excessive stationary noise sources, pp. 3.12-29-3.12-30</p> <p>Impact 3.12-4: General Plan implementation may result in an increase in construction noise sources, pp. 3.12-30-3.12-32</p>	No	No	No	No	No
b) Generation of excessive groundborne vibration or groundborne noise levels?	<p>Impact 3.12-5: General Plan implementation may result in construction vibration, pp. 3.12-32-3.12-33</p> <p>Impact 3.12-6: General Plan implementation may result in exposure to ground borne vibration, pp. 3.12-34-3.12-39</p>	No	No	No	No	Yes
c) For a project located within the vicinity of a private airstrip or 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?	NA	NA	NA	NA	NA	NA

3.12.1 Discussion

No substantial changes in the environmental and regulatory settings have occurred related to noise, described in Section 3.12, "Noise," of the General Plan 2040 EIR.

Impact 3.12-1 in the General Plan 2040 EIR identified a significant and unavoidable impact with regard to traffic noise exposure, while all other impacts in Section 3.12, "Noise," of the General Plan 2040 EIR were less than significant. Implementation of the CAP Update would not exceed the City's traffic noise standards or result in significant increases in traffic noise levels at existing sensitive receptors because the CAP Update does not propose new development that would result in increased traffic levels. General Plan Policies N 1-1 through N 1-7, N 1-9, N 1-10 and Actions N 1a, N 1b, N 1e, N 1f, N 1g, N 1h, N 1i, and N 1k are intended to minimize exposure to excessive noise, including noise associated with traffic.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. These subsequent projects could result in limited construction noise, but are not anticipated to increase long term, operational noise. The physical improvements anticipated to occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements, public services expansions, and building upgrades evaluated in the General Plan 2040 EIR and would occur within the City's Planning Area. Furthermore, the CAP Update includes policies and actions intended to reduce private vehicle use, which may reduce the potential traffic noise from buildout of the General Plan 2040. Potential impacts on noise resulting from projects under the CAP Update would be consistent with impacts described in the General Plan 2040 EIR. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding noise remain valid and no further analysis is required.

Mitigation Measures

Impact 3.12-1 was deemed significant and unavoidable in the General Plan 2040 EIR and no feasible mitigation measure are included; however, the CAP Update does not include development proposals that would generate new construction noise and vibration not evaluated in the General Plan 2040 EIR. Therefore, there are no mitigation measures applicable to the project.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any new potentially significant impacts or cumulative impacts, and there is no new information available that was not known and could not have been known at the time the General Plan 2040 EIR was certified as complete. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.13 POPULATION AND HOUSING

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
XIV. Population and Housing.						
a) Induce substantial unplanned 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)?	Impact 3.10-3: General Plan implementation would not induce substantial unplanned 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), pp. 3.10-20-3.10-21	No	No	No	No	No
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Impact 3.10-4: General Plan implementation would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, pp. 3.10-21-3.10-23	No	No	No	No	No

3.13.1 Discussion

No substantial change in the environmental or regulatory setting related to population and housing has occurred since certification of the General Plan 2040 EIR. The conditions described in Section 3.10, "Land Use Planning and Population/Housing," of the General Plan 2040 EIR remain applicable to the following analysis.

The General Plan 2040 is intended to accommodate the City's fair share of statewide housing needs. The Land Use Element and Land Use Map identify new growth that is focused on infill sites distributed throughout the city, with higher density uses focused around major transportation corridors, the Santa Clara Valley Transportation Authority's Light Rail lines, and the Milpitas Transit Center. Implementation of General Plan 2040 policies and actions intended to guide growth to appropriate areas and provide services necessary to accommodate growth, the land uses allowed under the General Plan 2040, the infrastructure anticipated to accommodate proposed land uses, and the goal and policy framework would not induce growth. The General Plan 2040 EIR concludes that impacts related to population and housing would be less than significant under project and cumulative conditions.

Implementation of the CAP Update would not induce population growth directly or indirectly, because the GHG reduction measures do not propose new housing, nor do they propose changes to policies or regulations related to land use or residential zoning. Although the City would continue to implement and adopt policies that support high-density, mixed-use, and transit-oriented development and housing near jobs through Measure TR-1.3, this pattern of development is consistent with the assumptions in the General Plan 2040 EIR and related planning documents. GHG reduction measures that would facilitate the construction of future EV infrastructure (Measures TR-2.1 and TR-2.2),

transit access improvements (Measure TR-3.1), bicycle network improvements (Actions TR-3.3.1, TR-3.3.3, and TR-3.3.5), and solar for City buildings (see Municipal Actions to support Measure BE-1.1), could require a temporary increase in the number of construction workers. These types of projects are small construction projects, which would not require a large construction crew. Furthermore, construction workers would likely be from the area and permanent, substantial relocation of workers would not be required. Implementation of the CAP Update would not displace people or housing because the GHG reduction measures do not propose new housing, nor do they propose changes to policies or regulations related to land use or residential zoning.

The General Plan 2040 accommodates future growth in Milpitas, including new businesses, expansion of existing businesses, and new residential uses. Infrastructure and services would need to be extended to accommodate future growth. The CAP Update is another component of the City's approach to planning for environmentally conscious growth. There are no components of the CAP Update that would result in substantial unplanned population growth. Implementation of the CAP Update would no result in projects with the potential to displace people or housing. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding population and housing remain valid and no further analysis is required.

Mitigation Measures

No significant population or housing impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The conclusions of the General Plan 2040 EIR pertaining to population and housing remain valid and no further analysis is required.

3.14 PUBLIC SERVICES

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
XV. Public Services.						
a)	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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?	Impact 3.13-1: General Plan implementation could result in adverse physical impacts on the environment associated with the need for new governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts and the provision of public services, pp. 3.13-17-3.13-20	No	No	No	No	No
Police protection?	Combined with impact above					
Schools?	Combined with impact above					
Parks?	See Section 3.14, "Recreation"					
Other Public Facilities?	Combined with impact above					

3.14.1 Discussion

No substantial change in the settings related to public services, described in General Plan 2040 EIR Section 3.13, "Public Services and Recreation," has occurred since certification of the General Plan 2040 EIR.

Development accommodated under the General Plan 2040 would result in additional residents and businesses in the city. This would result in increased demand for public services, including fire protection, law enforcement, schools, parks, libraries, and other public and governmental services. The General Plan 2040 includes policies and actions to ensure that public services are provided at acceptable levels and that the City will maintain and implement public facility master plans, in collaboration with appropriate outside service providers and other agencies, to ensure compliance with appropriate regional, state, and federal laws and to provide efficient public facilities and services to Milpitas.

As the demand for services increases, there will likely be a need to address acceptable service ratios, response times, and other performance standards. New or expanded service structures (e.g., offices, maintenance and administrative buildings, schools, parks, fire facilities, libraries) will be needed to provide for adequate staffing, equipment, and

appropriate facilities to serve growth in the city. Existing facilities may be expanded at their current location. New facilities may also be constructed. The facilities will be primarily provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the governmental facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the General Plan. These impacts are described in the relevant chapters (Chapters 3.1 through 3.16, and 4.0) of the General Plan 2040 EIR. Any future development under the General Plan 2040 would be required to comply with regulations, policies, and standards included in the General Plan. The General Plan 2040 EIR concludes that impacts related to public services would be less than significant under project and cumulative conditions.

As discussed above in Section 3.13, "Population and Housing," the CAP Update would not result in population growth. Implementation of the CAP Update would not increase the demand for public services or result in the relocation or expansion of public services such that new significant environmental effects could result. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding public services remain valid and no further analysis is required.

Mitigation Measures

No significant public service impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The conclusions of the General Plan 2040 EIR pertaining to public services remain valid and no further analysis is required.

3.15 RECREATION

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
XVI.Recreation.						
a) 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?	Impact 3.13-2: General Plan implementation may result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities, pp. 3.13-21-3.13-31					
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	Combined with impact above					

3.15.1 Discussion

No substantial change in the regulatory settings related to public services, described in General Plan 2040 EIR Section 3.13, "Public Services and Recreation," has occurred since certification of the General Plan 2040 EIR.

Growth accommodated under the General Plan 2040 would result in increased demand for parks and recreation facilities. Development under the General Plan 2040 would indirectly lead to the construction of new parks and recreation facilities to serve new growth and to meet existing parks and recreation needs. New facilities would be provided at a pace and in locations appropriate to serve new development, as required to maintain the City's adopted standard for park space acreage at 5 acres for every 1,000 residents (as required by General Plan 2040 Policy PROS-1.4). New parks or recreational facilities constructed in the future would be primarily provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the parks and recreational facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the General Plan 2040. These impacts are described in the relevant chapters (Chapters 3.1 through 3.16, and 4.0) of the General Plan 2040 EIR. Because any future development under the General Plan 2040 would be required to comply with regulations, policies, and standards included in the General Plan, the General Plan 2040 EIR concludes that impacts related to recreational facilities would be less than significant under project and cumulative conditions.

As discussed above in Section 3.13, "Population and Housing," the CAP Update would not result in population growth. Implementation of the CAP Update would not increase the demand for parks or result in the construction of new recreational facilities. The CAP Update does include Action CS-1.1.6 through which the City would identify new development mitigation for the provision of parks or open space to enhance carbon sequestration and Action CS-

1.3.1 to develop and implement a green infrastructure program that would support the maintenance of the existing parks system. Implementation of the CAP Update may also result in minor modifications to existing parks, such as upgrading facility lighting to LEDs and installation of upgraded irrigation systems and drought-tolerant landscaping. These actions would not result in the potential for new, adverse physical effects on the environment that would be inconsistent with the development evaluated in the General Plan 2040 EIR. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding recreation remain valid and no further analysis is required.

Mitigation Measures

No significant recreation impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the project would have (1) no peculiar impacts, (2) no impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts and cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The conclusions of the General Plan 2040 EIR pertaining to parks and recreation remain valid and no further analysis is required.

3.16 TRANSPORTATION/TRAFFIC AND CIRCULATION

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
XVII. Transportation.						
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Impact 3.14-1: General Plan implementation would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, pp. 3.14-30-3.14-34	No	No	No	No	Yes
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Impact 3.14-2: General Plan implementation would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a), pp. 3.14-34-3.14-36	No	No	No	No	No
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Impact 3.14-3: General Plan implementation would not substantially increase hazards due to a geometric design feature or incompatible use, p. 3.14-37	No	No	No	No	Yes
d) Result in inadequate emergency access?	Impact 3.14-4: General Plan implementation would not result in inadequate emergency access, pp. 3.14-37-3.14-47	No	No	No	No	Yes

3.16.1 Discussion

Transportation and circulation are discussed in Section 3.14, "Transportation and Circulation," of the General Plan 2040 EIR. No substantial change in the environmental setting related to transportation and circulation has occurred since certification of the General Plan 2040 EIR, however, the City has adopted new policies related to transportation since the certification of the General Plan 2040 EIR. The following policies are applicable in addition to those provided in the General Plan 2040 EIR.

REGULATORY SETTING

Local

The Milpitas City Council adopted a VMT policy on May 18, 2021, pursuant to the requirements of SB 743, which requires local jurisdictions to use VMT instead of Level of Service to analyze transportation impacts under CEQA. The VMT policy aligns with the goals and policies of the General Plan and other City-adopted plans, and supports new development in suitable areas near transit, mixed-use neighborhoods, and other amenities.

EVALUATION OF CAP UPDATE

Impact 3.14.-2 in the General Plan 2040 EIR identified a significant and unavoidable impact with regard to employment-based VMT generation, while all other impacts in Section 3.14, "Transportation and Circulation," of the General Plan 2040 EIR were less than significant. Implementation of the CAP Update would not exceed the City's VMT thresholds because the CAP Update does not propose new development that would result in increased VMT. The General Plan's land use patterns and intensities, as well as its policies, include a multitude of components that will reduce VMT. Transportation demand management (TDM) strategies are included in General Plan 2040 policies and CAP Update strategies and measures.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. These subsequent projects would be required to complete VMT analyses based on the City's adopted VMT policy. The physical improvements anticipated to occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements evaluated in the General Plan 2040 EIR and would occur within the City's Planning Area. For example, implementation of the CAP Update would reduce VMT from new and existing development through TDM strategies (Measures TR-1.1 and TR-1.2), transit access improvements (Measure TR-3.1), and bicycle and pedestrian infrastructure improvements (Measure TR-3.3). Potential impacts on transportation resulting from projects under the CAP Update would be consistent with impacts described in the General Plan 2040 EIR. Therefore, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan 2040 EIR, or (3) significant off-site impacts or cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. The findings of the certified General Plan 2040 EIR regarding transportation and circulation remain valid and no further analysis is required.

Mitigation Measures

Impact 3.14-2 was deemed significant and unavoidable in the General Plan 2040 EIR and no feasible mitigation measure are included; however, the CAP Update does not include development proposals that would generate new VMT or traffic impacts not evaluated in the General Plan 2040 EIR. Therefore, there are no mitigation measures applicable to the project.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.17 TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
XVIII. Tribal Cultural Resources.						
Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)?						
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	Impact 3.5-3: General Plan implementation could cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Section 15064.5, pp. 3.5-19-3.5-21	No	No	No	No	Yes
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Combined with impact above					

3.17.1 Discussion

Tribal cultural resources are discussed in Section 3.5, "Cultural Resources," of the General Plan 2040 EIR. No substantial change in the environmental setting related to cultural resources has occurred since certification of the General Plan 2040 EIR.

As discussed in the General Plan 2040 EIR, future development could result in the discovery of previously undocumented archaeological resources, including Native American artifacts and human remains. Compliance with the General Plan policies and actions, as well as State and local guidelines, would provide an opportunity to identify, disclose, and avoid or minimize the disturbance of and impacts to a tribal resource. The General Plan 2040 EIR concludes that impacts related to tribal cultural resources would be less than significant under project and cumulative conditions.

The CAP Update is a policy document and, like approval of the General Plan 2040, would not result in the direct approval of any subsequent action. The CAP Update does, however, identify policies and actions that the City intends to execute to achieve GHG emission reductions and climate resiliency. The physical improvements anticipated to

occur as a result of implementing the proposed CAP Update would be consistent with the types of infrastructure improvements evaluated in the General Plan 2040 EIR and would occur within the City's Planning Area. For example, implementation of the CAP Update would support future EV infrastructure (Measure TR-2.1 and Action MVF-1.1.1) and innovative approaches to energy generation, distribution, and storage (Measure BE-1.2). Infrastructure upgrades could result in ground disturbance within the Planning Area that is consistent with the types of disturbance and potential to encounter cultural resources evaluated in the General Plan 2040 EIR.

As described in the General Plan 2040 EIR, future discretionary projects would be subject to environmental review under CEQA, which may include project-level records review and analysis and would result in identification of necessary avoidance or mitigation measures to reduce potential impacts. The CAP Update would be consistent with the development anticipated in the General Plan 2040 EIR and would not increase the potential severity of impacts to tribal cultural resources. The project would have (1) no peculiar impacts, (2) no significant impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts and cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and no further analyses is required.

3.18 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
XIX. Utilities and Service Systems.						
a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	Impact 3.15-2: General Plan implementation may require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, p. 3.15-14 Impact 3.15-4: General Plan implementation may require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects, p. 3.15-23 Impact 3.15-5: General Plan implementation may require or result in the relocation or construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects, pp. 3.15-29-3.15-31	No	No	No	No	Yes
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Impact 3.15-1: General Plan implementation would result in sufficient water supplies available to serve the City and reasonably foreseeable future development during normal, dry and multiple dry years, pp. 3.15-11-3.15-13	No	No	No	No	No
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's	Impact 3.15-3: General Plan implementation has the potential to result in a determination by the wastewater treatment provider which serves or may serve the Project that it	No	No	No	No	No

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
projected demand, in addition to the provider's existing commitments?	has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments, pp. 3.15-21-3.15-22					
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Impact 3.15-6: General Plan implementation would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, and would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, pp. 3.15-36-3.15-43	No	No	No	No	No
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Combined with impact above					

3.18.1 Discussion

No substantial change in the settings related to utilities and services systems, described in General Plan 2040 EIR Section 3.15, "Utilities and Service Systems," has occurred since certification of the General Plan 2040 EIR in March 2021. Although the Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) were officially adopted subsequently (on June 15, 2021, by the Milpitas City Council), the data from these studies informed the analysis in the General Plan 2040 EIR.

The General Plan 2040 EIR discloses that infrastructure and facilities necessary to serve new growth could involve development of facilities within new development projects, on appropriately designated land, and improvements to existing facilities and disturbance of existing rights-of-way. As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the General Plan 2040, Municipal Code, and other applicable regulations.

Implementation of the General Plan 2040 would result in increased population and employment growth within the Planning Area, and a corresponding increase in the demand for additional water supplies. For the purpose of the analysis in the General Plan 2040 EIR, potable water demands were estimated based on water use factors recommended in the 2020 WMPU. These water use factors represent typical water use for each General Plan Land Use designation and were developed from actual consumption data for calendar year 2019. The result is a total water demand of approximately 13.1 million gallons per day (mgd) (14,700 acre-feet per year (af/yr)) at buildout. This

includes an 8 percent adjustment for unaccounted-for water, which is consistent with the 2020 WMPU. For comparison, the 2020 WMPU projects buildout potable water demands to be slightly higher, approximately 13.7 mgd.

The General Plan 2040 includes a range of policies designed to ensure an adequate water supply for development and to minimize the potential adverse effects of increased water use. Given that projected water demands associated with General Plan 2040 buildout would not exceed the projected available water supplies, and that the proposed General Plan includes a comprehensive set of goals and policies to ensure an adequate and reliable source of clean potable water, the City determined that there will be adequate water supply to serve the buildout. Implementation and buildout of the General Plan 2040 would not result in the need to construct or expand water supply and treatment facilities that have not already been described and accounted for in the relevant water master plans.

Wastewater treatment capacity is also anticipated to be adequate to serve buildout. Applying Use Factors from the 2009 Sewer Master Plan Update factors to the General Plan 2040 buildout projections yields a buildout average dry weather flow (ADWF) of approximately 11.8 mgd. This projected ADWF is below the City's current capacity rights of 14.25 mgd.

In addition, future projects within the Planning Area would be required to comply with applicable State and local requirements, including those pertaining to solid waste, construction waste diversion, and recycling. While there is adequate permitted landfill capacity to accommodate future growth, the General Plan 2040 includes actions to further reduce the project's impact on solid waste services. The General Plan 2040 EIR concludes that impacts related to utilities would be less than significant under project and cumulative conditions.

The CAP Update includes measures focused on the water, wastewater, and solid waste sectors to minimize GHG emissions while improving community resilience and energy reliability and protecting natural resources. The CAP Update includes proposed measures to further reduce water consumption and demand for wastewater treatment. Measure WA-1.1 would reduce indoor water consumption in buildings and is supported by Actions WA-1.1.1 through WA-1.1.7, which would encourage water conservation. Measure WA-1.2 would reduce water consumption for irrigation and landscaping. Measure WA-1.3 would increase the use of recycled water through Actions WA-1.3.1 through WA-1.3.6 that continue requirements to include recycled water infrastructure in new development and encourage use of recycled water for industrial uses and landscape irrigation. Measures related to solid waste aim to eliminate the disposal of organic solid waste in landfills (Measure SW-1.1), increase recycling and the diversion of other inorganic solid waste (Measure SW-1.2), reduce generation of waste from residents and businesses (Measure SW-1.3) and construction and demolition (Measure SW-1.4), and facilitate repair and reuse of consumer products (Measure SW-1.5). These measures would serve to reduce the demand for utilities and service systems and decrease the potential that either the capacity of existing service providers would be exceeded or new facilities would be required. As described in Section 3.9, "Hydrology and Water Quality," implementation of the CAP Update is not anticipated to increase impervious surfaces or runoff more than the effects anticipated from buildout of the General Plan and evaluated in the General Plan 2004 EIR. For these reasons, the project would have (1) no peculiar impacts, (2) no significant impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts and cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and no further analyses is required.

Mitigation Measures

No significant utilities or service system impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. As discussed above, the project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

3.19 WILDFIRE

ENVIRONMENTAL ISSUE AREA	Where Impact Was Analyzed in the GP EIR.	Any Peculiar Impact?	Any Impact Not Analyzed as Significant Effect in GP EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
XX. Wildfire.						
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Impact 3.16-1: General Plan implementation could substantially impair an adopted emergency response plan or emergency evacuation plan, pp. 3.16-6-3.16-9	No	No	No	No	No
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Impact 3.16-2: General Plan implementation would not exacerbate wildfire risks, or thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, pp. 3.16-9-3.16-11	No	No	No	No	Yes
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Impact 3.16-3: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment, p. 3.16-11-3.16-13	No	No	No	No	Yes
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Impact 3.16-4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, pp. 3.16-13-3.16-17					

3.19.1 Discussion

No substantial change in the environmental and regulatory settings related to hazards and hazardous materials, described in General Plan 2040 EIR Chapter 3.16, "Wildfires," has occurred since certification of the General Plan 2040 EIR.

The City of Milpitas does not contain any areas determined to have either a high or very high fire threat to people within the City limits. Future projects are not anticipated to remove or impede evacuation routes, and the General Plan 2040 does not include land uses, policies, or other components that conflict with adopted emergency response or evacuation plans. The General Plan 2040 ensures that the City maintains adequate emergency access as well as staffing, training, station locations, emergency response. Important new critical facilities would also be located to ensure resiliency and functionality in the event of a natural disaster.

Any future projects contemplated under the General Plan 2040 would be required to comply with the provisions of Federal, State, and local requirements related to wildland fire hazards, including State fire safety regulations associated with wildland-urban interfaces, fire-safe building standards, and defensible space requirements as part of the project's approval process. Infrastructure required to serve development allowed under the General Plan 2040 would generally be located in and along established City roadways and would be located in areas that are already urbanized and are currently served by infrastructure. As such, implementation of the General Plan 2040 would not exacerbate wildfire risks. The General Plan 2040 includes requirements for adequate water supply and water flow availability, emergency access, fire protection services, fire safe design site standards, and ensuring public awareness regarding fire safety. All future development projects would be required to be consistent with the City's municipal code standards related to the California Fire Code. The General Plan 2040 EIR concludes that impacts related to wildfire would be less than significant under project and cumulative conditions.

The proposed CAP Update is intended to provide a roadmap to make Milpitas resilient to climate change and the associated effects, such as increased potential for wildfire. The developed areas of the city, where specific projects like EV charger installation would occur, are not in state responsibility areas or lands classified as very high fire hazard severity zones. In addition, although the area east of the city in the SOI is an area of elevated wildfire risk, implementation of the CAP Update would not interfere with implementation of an adopted emergency response plan, exacerbate wildfire risk, or expose people or structures to significant risks, as a result of runoff, post-fire slope instability, or drainage changes. Although new electrical infrastructure may result from implementation of the CAP Update, the increase in electrical demand would be within the scope of the utility provider's integrated resources plans. The potential for upgraded and modified infrastructure is within the overall scope of the upgrades contemplated in the General Plan 2040 EIR and would not require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. For these reasons, the project would have (1) no peculiar impacts, (2) no significant impacts not analyzed in the General Plan 2040 EIR, (3) no significant off-site impacts and cumulative impacts not discussed in the General Plan 2040 EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid, and no further analyses is required.

Mitigation Measures

No significant wildfire impacts were identified in the General Plan 2040 EIR, and no mitigation measures were required.

CONCLUSION

There are no significant impacts that are peculiar to the project. The project would not have any potentially significant impacts or cumulative impacts that were not discussed in the General Plan 2040 EIR. Therefore, the conclusions of the General Plan 2040 EIR remain valid and approval of the project would not require additional environmental review.

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